

35th Cong. - Special sess.

JOURNAL OF THE EXECUTIVE PROCEEDINGS OF THE SENATE OF THE UNITED STATES.

[At a session specially called, commencing Wednesday, March 4th,
1857.]

WEDNESDAY, MARCH 4, 1857.

By the President of the United States of America :

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at twelve o'clock, on the 4th of March next, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Franklin Pierce, President of the United States, have considered it to be my duty to issue this, my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 4th day of March next, at twelve o'clock at noon on that day, at which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the sixteenth day of February, anno Domini eighteen hundred and fifty-seven, and of the Independence of the United States the eighty-first.

FRANKLIN PIERCE.

By the President:

W. L. MARCY,
Secretary of State.

In conformity with the foregoing proclamation of the President of the United States, the Senate assembled in its Chamber, at the city of Washington.

PRESENT:

From the State of New Hampshire.

The honorable { James Bell,
John P. Hale.

From the State of Massachusetts.

The honorable { Charles Sumner,
Henry Wilson.

From the State of Rhode Island and Providence Plantations.

The honorable { Philip Allen,
 { James F. Simmons.

From the State of Connecticut.

The honorable { James Dixon,
 { La Fayette S. Foster.

From the State of Vermont.

The honorable { Jacob Collamer,
 { Solomon Foot.

From the State of New York.

The honorable { Preston King,
 { William H. Seward.

From the State of New Jersey.

The honorable { John R. Thomson,
 { William Wright.

From the State of Pennsylvania.

The honorable { William Bigler,
 { Simon Cameron.

From the State of Delaware.

The honorable { Martin W. Bates,
 { James A. Bayard.

From the State of Maryland.

The honorable { Anthony Kennedy,
 { James A. Pearce.

From the State of Virginia.

The honorable { R. M. T. Hunter,
 { James M. Mason.

From the State of North Carolina.

The honorable { Asa Biggs,
 { David S. Reid.

From the State of South Carolina.

The honorable { Andrew P. Butler,
 { Josiah J. Evans.

From the State of Georgia.

The honorable { Alfred Iverson,
 { Robert Toombs.

From the State of Kentucky.

The honorable { John J. Crittenden,
 { John B. Thompson.

From the State of Tennessee.

The honorable John Bell.

From the State of Ohio.

The honorable { George E. Pugh,
 { Benjamin F. Wade.

From the State of Louisiana.

The honorable { Judah P. Benjamin,
 { John Slidell.

From the State of Indiana.

The honorable { Jesse D. Bright,
 { Graham N. Fitch.

From the State of Mississippi.

The honorable { Albert G. Brown,
 { Jefferson Davis.

From the State of Illinois.

The honorable { Stephen A. Douglas,
 { Lyman Trumbull.

From the State of Alabama.

The honorable { Clement C. Clay,
 { Benjamin Fitzpatrick.

From the State of Maine.

The honorable { William P. Fessenden,
 { Hannibal Hamlin.

From the State of Missouri.

The honorable { James S. Green,
 { Trusten Polk.

From the State of Arkansas.

The honorable { Robert W. Johnson,
 { William K. Sebastian.

From the State of Michigan.

The honorable { Zachariah Chandler,
Charles E. Stuart.

From the State of Florida.

The honorable { Stephen R. Mallory,
David L. Yulee.

From the State of Texas.

The honorable { Sam Houston,
Thomas J. Rusk.

From the State of Iowa.

The honorable { James Harlan,
George W. Jones.

From the State of Wisconsin.

The honorable { James R. Doolittle,
Charles Durkee.

From the State of California.

The honorable { David C. Broderick,
William M. Gwin.

The Senate being called to order,
Mr. Douglas submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the oath of office be administered by the honorable James A. Pearce to the honorable James M. Mason, Senator-elect from the State of Virginia, and that he be, and hereby is, chosen President of the Senate *pro tempore*.

Whereupon

The oath of office was administered to the honorable James M. Mason, and he took the chair.

The credentials of the following Senators having been heretofore presented to the Senate, the oath prescribed by law was administered to them by the President *pro tempore*, and they took their seats in the Senate:

The honorable James A. Bayard, from the State of Delaware.

The honorable Jesse D. Bright, from the State of Indiana.

The honorable David C. Broderick, from the State of California.

The honorable Zachariah Chandler, from the State of Michigan.

The honorable Simon Cameron, from the State of Pennsylvania.

The honorable Jefferson Davis, from the State of Mississippi.

The honorable James Dixon, from the State of Connecticut.

The honorable James R. Doolittle, from the State of Wisconsin.

The honorable Hannibal Hamlin, from the State of Maine.

The honorable Anthony Kennedy, from the State of Maryland.

The honorable Preston King, from the State of New York.

The honorable Trusten Polk, from the State of Missouri.
The honorable Thomas J. Rusk, from the State of Texas.
The honorable Charles Sumner from the State of Massachusetts.
The honorable James F. Simmons, from State of Rhode Island and Providence Plantations.

The honorable John R. Thomson, from the State of New Jersey.

The honorable Benjamin F. Wade, from the State of Ohio.

The oath prescribed by law was also administered to the honorable Stephen R. Mallory, from the State of Florida, and he took his seat in the Senate.

The honorable John C. Breckinridge, Vice-President of the United States, having entered the Senate Chamber, the oath prescribed by law was administered to him by the President of the Senate *pro tempore*, and he thereupon took the chair and addressed the Senate, as follows:

SENATORS: In assuming the duties of this station, I am quite conscious that I bring to their discharge few other qualifications than a deep sense of the importance of this body in the scheme of the Government, and a feeling of respect for its members.

Happily, my duties are comparatively few and simple, and I am sure they will be made easy by a pervading sense of propriety which will, of itself, be sufficient on all occasions to preserve the dignity and decorum of the Senate.

In administering the rules which you have adopted for the convenience of your proceedings, I shall often need your kind indulgence, and I anticipate with confidence your forbearance towards the errors that spring from inexperience. Cherishing the hope that our official and personal intercourse will be marked by mutual confidence and regard, I look forward with pleasure to our association in the performance of public duties.

It shall be my constant aim, gentlemen of the Senate, to exhibit at all times, and to every member of this body, the courtesy and impartiality which is due to the representatives of equal States.

On motion by Mr. Mason,

Ordered, That when the Senate adjourn, it be to meet at one o'clock to-morrow.

The President of the United States, the ex-President, the Chief Justice and Associate Justices of the Supreme Court, and foreign ministers having entered the Senate Chamber, the Senate proceeded, accompanied by them, to the eastern portico of the Capitol.

The President, thereupon, delivered the following address:

FELLOW-CITIZENS: I appear before you this day to take the solemn oath "that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States."

In entering upon this great office I must humbly invoke the God of our fathers for wisdom and firmness to execute its high and responsible duties in such a manner as to restore harmony and ancient friendship among the people of the several States, and to preserve our free institutions throughout many generations. Convinced that I owe my election to the inherent love for the Constitution and the Union, which still animates the hearts of the American people, let me earnestly ask their powerful support in sustaining all just measures calculated to perpetuate these, the richest political blessings which Heaven has ever bestowed upon any nation. Having determined not to become a candidate for re-election, I shall have no motive to influence my conduct in ad-

ministering the Government, except the desire ably, and faithfully to serve my country and to live in the grateful memory of my countrymen.

We have recently passed through a Presidential contest in which the passions of our fellow-citizens were excited to the highest degree by questions of deep and vital importance, but when the people proclaimed their will the tempest at once subsided and all was calm.

The voice of the majority, speaking in the manner prescribed by the Constitution, was heard and instant submission followed. Our own country could alone have exhibited so grand and striking a spectacle of the capacity of man for self-government.

What a happy conception, then, was it for Congress to apply this simple rule—that the will of the majority shall govern—to the settlement of the question of domestic slavery in the Territories! Congress is neither “to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States.”

As a natural consequence Congress has also prescribed that, when the Territory of Kansas shall be admitted as a State it “shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission.”

A difference of opinion has arisen in regard to the point of time when the people of a Territory shall decide the question for themselves.

This is, happily, a matter of but little practical importance. Besides, it is a judicial question which legitimately belongs to the Supreme Court of the United States, before whom it is now pending and will, it is understood, be speedily and finally settled. To their decision, in common with all good citizens, I shall cheerfully submit, whatever this may be, though it has ever been my individual opinion that under the Nebraska-Kansas act the appropriate period will be when the number of actual residents in the Territory shall justify the formation of a constitution with a view to its admission as a State into the Union. But be this as it may, it is the imperative and indispensable duty of the Government of the United States to secure to every resident inhabitant the free and independent expression of his opinion by his vote. This sacred right of each individual must be preserved. That being accomplished, nothing can be fairer than to leave the people of a Territory free from all foreign interference to decide their own destiny for themselves, subject only to the Constitution of the United States.

The whole Territorial question being thus settled upon the principle of popular sovereignty—a principle as ancient as free government itself—everything of a practical nature has been decided. No other question remains for adjustment, because all agree that under the Constitution slavery in the States is beyond the reach of any human power, except that of the respective States themselves wherein it exists. May we not, then, hope that the long agitation on this subject is approaching its end, and that the geographical parties to which it has given birth, so much dreaded by the Father of his Country, will speedily become extinct? Most happy will it be for the country when the public mind shall be diverted from this question to others of more pressing and practical importance. Throughout the whole progress of this agitation, which has scarcely known any intermission for more than twenty years, whilst it has been productive of no positive good to any human being, it has been the prolific source of great evils to the master, to the slave, and to the whole country. It has alienated and estranged the people of the sister States from each other, and has even seriously endangered the

very existence of the Union. Nor has the danger yet entirely ceased. Under our system there is a remedy for all mere political evils in the sound sense and sober judgment of the people. Time is a great corrective. Political subjects which but a few years ago excited and exasperated the public mind have passed away and are now nearly forgotten. But this question of domestic slavery is of far graver importance than any mere political question, because, should the agitation continue, it may eventually endanger the personal safety of a large portion of our countrymen where the institution exists. In that event, no form of Government, however admirable in itself, and however productive of material benefits, can compensate for the loss of peace and domestic security around the family altar. Let every Union-loving man, therefore, exert his best influence to suppress this agitation, which, since the recent legislation of Congress, is without any legitimate object.

It is an evil omen of the times that men have undertaken to calculate the mere material value of the Union. Reasoned estimates have been presented of the pecuniary profit and local advantages which would result to different States and sections from its dissolution, and of the comparative injuries which such an event would inflict on other States and sections. Even descending to this low and narrow view of the mighty question, all such calculations are at fault. The bare reference to a single consideration will be conclusive on this point. We at present enjoy a free trade throughout our extensive and expanding country such as the world has never witnessed. This trade is conducted on railroads and canals, on noble rivers and arms of the sea, which bind together the North and the South, the East and the West of our Confederacy. Annihilate this trade, arrest its free progress by the geographical lines of jealous and hostile States, and you destroy the prosperity and onward march of the whole and every part, and involve all in one common ruin. But such considerations, important as they are in themselves, sink into insignificance when we reflect on the terrific evils which would result from disunion to every portion of the Confederacy, to the North not more than to the South, to the East not more than to the West. These I shall not attempt to portray, because I feel an humble confidence that the kind Providence which inspired our fathers with wisdom to frame the most perfect form of Government and Union ever devised by man, will not suffer it to perish until it shall have been peacefully instrumental, by its example, in the extension of civil and religious liberty throughout the world.

Next in importance to the maintenance of the Constitution and the Union is the duty of preserving the Government free from the taint or even the suspicion of corruption. Public virtue is the vital spirit of Republics; and history proves that when this has decayed, and the love of money has usurped its place, although the forms of free government may remain for a season, the substance has departed forever.

Our present financial condition is without a parallel in history. No nation has ever before been embarrassed from too large a surplus in its treasury. This almost necessarily gives birth to extravagant legislation. It produces wild schemes of expenditure, and begets a race of speculators and jobbers whose ingenuity is exerted in contriving and promoting expedients to obtain public money. The purity of official agents, whether rightfully or wrongfully, is suspected, and the character of the Government suffers in the estimation of the people. This is in itself a very great evil.

The natural mode of relief from this embarrassment is to appropriate the surplus in the Treasury to great national objects, for which a clear warrant can be found in the Constitution. Among these I might mention the extinguishment of the public debt, a reasonable increase of the Navy, which is at present inadequate to the protection of our vast tonnage afloat, now greater than that of any other nation, as well as to the defense of our extended sea-coast.

It is beyond all question the true principle, that no more revenue ought to be collected from the people than the amount necessary to defray the expenses of a wise, economical, and efficient administration of the Government. To reach this point, it was necessary to resort to a modification of the tariff; and this has, I trust, been accomplished in such a manner as to do as little injury as may have been practicable to our domestic manufactures, especially those necessary for the defense of the country. Any discrimination against a particular branch, for the purpose of benefiting favored corporations, individuals, or interests, would have been unjust to the rest of the community, and inconsistent with that spirit of fairness and equality which ought to govern in the adjustment of a revenue tariff.

But the squandering of the public money sinks into comparative insignificance as a temptation to corruption when compared with the squandering of the public lands.

No nation in the tide of time has ever been blessed with so rich and noble an inheritance as we enjoy in the public lands. In administering this important trust, whilst it may be wise to grant portions of them for the improvement of the remainder, yet we should never forget that it is our cardinal policy to reserve these lands, as much as may be, for actual settlers, and this at moderate prices. We shall thus not only best promote the prosperity of the new States and Territories by furnishing them a hardy and independent race of honest and industrious citizens, but shall secure homes for our children and our children's children, as well as for those exiles from foreign shores who may seek in this country to improve their condition and to enjoy the blessings of civil and religious liberty. Such emigrants have done much to promote the growth and prosperity of the country. They have proved faithful both in peace and in war. After becoming citizens, they are entitled, under the Constitution and laws, to be placed on a perfect equality with native-born citizens; and in this character they should ever be kindly recognized.

The Federal Constitution is a grant from the States to Congress of certain specific powers; and the question whether this grant should be liberally or strictly construed, has, more or less, divided political parties from the beginning. Without entering into the argument, I desire to state, at the commencement of my administration, that long experience and observation have convinced me that a strict construction of the powers of the Government is the only true, as well as the only safe, theory of the Constitution. Whenever, in our past history, doubtful powers have been exercised by Congress, these have never failed to produce injurious and unhappy consequences. Many such instances might be adduced, if this were the proper occasion. Neither is it necessary for the public service to strain the language of the Constitution; because all the great and useful powers required for a successful administration of the Government, both in peace and in war, have been granted, either in express terms or by the plainest implication.

Whilst deeply convinced of these truths, I yet consider it clear that, under the war-making power, Congress may appropriate money towards

the construction of a military road, when this is absolutely necessary for the defense of any State or Territory of the Union against foreign invasion. Under the Constitution Congress has power "to declare war," "to raise and support armies," "to provide and maintain a Navy," and to call forth the militia to "repel invasions." Thus endowed, in an ample manner, with the war-making power, the corresponding duty is required that "the United States shall protect each of them [the States] against invasion." Now, how is it possible to afford this protection to California and our Pacific possessions, except by means of a military road through the Territories of the United States, over which men and munitions of war may be speedily transported from the Atlantic States to meet and repel the invader? In the event of a war with a naval power much stronger than our own we should then have no other available access to the Pacific coast, because such a power would instantly close the route across the Isthmus of Central America. It is impossible to conceive that, whilst the Constitution has expressly required Congress to defend all the States it should yet deny to them, by any fair construction, the only possible means by which one of these States can be defended. Besides, the Government, ever since its origin, has been in the constant practice of constructing military roads. It might also be wise to consider whether the love for the Union which now animates our fellow-citizens on the Pacific coast may not be impaired by our neglect or refusal to provide for them, in their remote and isolated condition, the only means by which the power of the States, on this side of the Rocky Mountains, can reach them in sufficient time to "protect" them "against invasion." I forbear for the present from expressing an opinion as to the wisest and most economical mode in which the Government can lend its aid in accomplishing this great and necessary work. I believe that many of the difficulties in the way, which now appear formidable, will, in a great degree, vanish as soon as the nearest and best route shall have been satisfactorily ascertained.

It may be proper that on this occasion I should make some brief remarks in regard to our rights and duties as a member of the great family of nations. In our intercourse with them there are some plain principles, approved by our own experience, from which we should never depart. We ought to cultivate peace, commerce, and friendship with all nations, and this not merely as the best means of promoting our own material interests, but in a spirit of Christian benevolence towards our fellow-men wherever their lot may be cast. Our diplomacy should be direct and frank, neither seeking to obtain more nor accepting less than is our due. We ought to cherish a sacred regard for the independence of all nations, and never attempt to interfere in the domestic concerns of any unless this shall be imperatively required by the great law of self-preservation. To avoid entangling alliances has been a maxim of our policy ever since the days of Washington, and its wisdom no one will attempt to dispute. In short, we ought to do justice in a kindly spirit to all nations, and require justice from them in return.

It is our glory that whilst other nations have extended their dominions by the sword we have never acquired any territory except by fair purchase or, as in the case of Texas, by the voluntary determination of a brave, kindred, and independent people to blend their destinies with our own. Even our acquisitions from Mexico form no exception. Unwilling to take advantage of the fortune of war against a sister Republic we purchased these possessions, under the treaty of peace, for a sum which was considered at the time a fair equivalent. Our past history forbids that we shall in the future acquire territory unless this be sanc-

tioned by the laws of justice and honor. Acting on this principle no nation will have a right to interfere or to complain if in the progress of events we shall still further extend our possessions. Hitherto, in all our acquisitions, the people, under the protection of the American flag, have enjoyed civil and religious liberty, as well as equal and just laws, and have been contented, prosperous, and happy. Their trade with the rest of the world has rapidly increased, and thus every commercial nation has shared largely in their successful progress.

I shall now proceed to take the oath prescribed by the Constitution, whilst humbly invoking the blessing of Divine Providence on this great people.

The President having finished his address, the oath of office was administered to him by the Chief Justice of the Supreme Court of the United States; and

The Senate returned to its Chamber.

On motion by Mr. Bright,
The Senate adjourned.

THURSDAY, MARCH 5, 1857.

The oath prescribed by law was administered to the honorable Solomon Foot, of the State of Vermont, whose credentials were presented the 4th December, 1856.

Mr. Allen submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That a committee, consisting of two members, be appointed to wait on the President of the United States and inform him that a quorum of the Senate has assembled and is ready to receive any communication he may be pleased to make.

On motion by Mr. Allen,

Ordered, That the committee be appointed by the Vice President; and

Mr. Allen and Mr. Crittenden were appointed.

On motion by Mr. Hamlin,

Ordered, That Vassal D. Piukham have leave to withdraw his petition and papers.

Mr. Pugh submitted the following resolution for consideration:

Resolved, That the Senate will adjourn, without day, on Monday, the 9th instant, at one o'clock p. m.

Mr. Mason submitted the following resolution for consideration:

Resolved, That the clerks to committees, and the pages in the employ of the Senate at the close of the last session of Congress, be continued during the present special session of the Senate.

On motion by Mr. Mason that the hour of the daily meeting of the Senate be one o'clock until otherwise ordered,

On motion by Mr. Collamer to amend the motion by striking out "one" and inserting *twelve*,

It was determined in the affirmative.

The motion as amended was agreed to.

So it was

Ordered, That the hour of the daily meeting of the Senate be 12 o'clock, until otherwise ordered.

Mr. Bright submitted the following resolution; which was considered, by unanimous consent:

Resolved, That the late Chaplain to the Senate be continued during the present session.

An amendment being proposed by Mr. Biggs,
Ordered, That the further consideration thereof be postponed until
to-morrow.

Mr. Allen, from the committee appointed to wait on the President of the United States and inform him that a quorum of the Senate has assembled, and that the Senate is ready to receive any communication he may be pleased to make, reported that the committee had performed the duty assigned them, and that the President replied that he would to-morrow make a communication to the Senate.

Mr. Benjamin submitted the following resolution for consideration:
Resolved, That the following be substituted for the 34th rule of the Senate, to take effect from and after the expiration of the present session.

RULE 34. The following standing committees shall be appointed at the commencement of each session, with leave to report by bill or otherwise:

- A Committee on Foreign Relations, to consist of seven members.
- A Committee on Finance, to consist of seven members.
- A Committee on Commerce, to consist of seven members.
- A Committee on Military Affairs and the Militia, to consist of five members.
- A Committee on Naval Affairs, to consist of five members.
- A Committee on the Judiciary, to consist of seven members.
- A Committee on the Post-Office and Post-Roads, to consist of seven members.
- A Committee on Public Lands, to consist of seven members.
- A Committee on Private Land Claims, to consist of five members.
- A Committee on Indian Affairs, to consist of seven members.
- A Committee on Pensions and Revolutionary Claims, to consist of five members.
- A Committee on Claims, to consist of five members.
- A Committee on the District of Columbia, to consist of seven members.
- A Committee on Patents and the Patent Office, to consist of five members.
- A Committee on Public Buildings and Grounds, to consist of five members, who shall have power also to act jointly with the same committee of the House of Representatives.
- A Committee on Territories, to consist of seven members.
- A Committee on the Library, to consist of five members.
- A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of five members, to whom shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge on the same.
- A Committee on Printing, to consist of three members, to whom shall be referred every question on the printing of documents, reports, or other matter transmitted by either of the Executive Departments, and all memorials, petitions, accompanying documents, together with all other matter, the printing of which shall be moved, excepting bills originating in Congress, resolutions offered by any Senator, communications from the legislatures, or conventions lawfully called of the respective States, and motions to print by order of the standing committees of the Senate; motions to print additional numbers shall likewise be referred to said committee; and when the report shall be in favor of printing additional numbers, it shall be accompanied by an estimate of the probable cost; and it shall be the duty of such Committee on Print-

ing to report, in every case, in one day, or sooner if practicable; the said committee shall also supervise and direct the procuring of maps and drawings accompanying documents ordered to be printed.

A Committee on Engrossed Bills, to consist of three members, whose duty it shall be to examine all bills, amendments, resolutions, or motions before they go out of the possession of the Senate; and shall deliver the same to the Secretary of the Senate, who shall enter upon the Journal that the same have been correctly engrossed.

A Committee on Enrolled Bills, to consist of three members.

Each of the foregoing committees shall be entitled to employ a clerk, with the exception of the six following, which shall not be entitled to a clerk, viz:

1. The Committee on Patents and the Patent Office.
2. The Committee on Public Buildings and Grounds.
3. The Committee to Audit and Control the Contingent Expenses of the Senate.
4. The Committee on the Library.
5. The Committee on Engrossed Bills.
6. The Committee on Enrolled Bills.

The clerks of the Committee on Finance, Printing, and Claims shall be permanent clerks at a salary of eighteen hundred and sixty dollars per annum.

The clerks employed by all the other committees shall receive a compensation of six dollars *per diem* during the time of their actual employment, and at the close of the second session of each Congress shall be entitled to an extra compensation equal to the amount of their *per diem* for sixty days.

The Senate proceeded, by unanimous consent, to consider the said resolution; and having been amended,

On motion by Mr. Bayard further to amend the resolution by striking out the words, "2. The Committee on Public Buildings and Grounds,"

It was determined in the negative, { Yeas 24
Nays 26

On motion by Mr. Fessenden,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Bayard, Bigler, Bright, Broderick, Brown, Butler, Cameron, Douglas, Fitch, Fitzpatrick, Green, Johnson, Jones of Iowa, Kennedy, Mallory, Mason, Pugh, Reid, Rusk, Sebastian, Simmons, Slidell, Thompson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Bell of Tennessee, Benjamin, Biggs, Clay, Collamer, Davis, Dixon, Doolittle, Durkee, Evans, Fessenden, Foot, Foster, Hamlin, Harlan, Houston, Iverson, King, Pearce, Seward, Stuart, Toombs, Trumbull, Wade, Wilson, Yulee.

The resolution having been further amended, was agreed to as follows:

Resolved, That the following be substituted for the 34th rule of the Senate:

Rule 34. The following standing committees shall be appointed at the commencement of each session, with leave to report by bill or otherwise:

A Committee on Foreign Relations, to consist of seven members.

A Committee on Finance, to consist of seven members.

A Committee on Commerce, to consist of seven members.

A Committee on Military Affairs and the Militia, to consist of seven members.

A Committee on Naval Affairs, to consist of seven members.

A Committee on the Judiciary, to consist of seven members.

A Committee on the Post-Office and Post-Roads, to consist of seven members.

A Committee on Public Lands, to consist of seven members.

A Committee on Private Land Claims, to consist of five members.

A Committee on Indian Affairs, to consist of seven members.

A Committee on Pensions, to consist of seven members.

A Committee on Revolutionary Claims, to consist of five members.

A Committee on Claims, to consist of five members.

A Committee on the District of Columbia, to consist of seven members.

A Committee on Patents and the Patent Office, to consist of five members.

A Committee on Public Buildings and Grounds, to consist of five members, who shall have power also to act jointly with the same committee of the House of Representatives.

A Committee on Territories, to consist of seven members.

A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of three members, to whom shall be referred all resolutions directing the payment of money out of the contingent funds of the Senate, or creating a charge on the same.

A Committee on Printing, to consist of three members, to whom shall be referred every question of the printing of documents, reports, or other matter transmitted by either of the Executive Departments, and all memorials, petitions, accompanying documents, together with all other matter, the printing of which shall be moved, excepting bills originating in Congress, resolutions offered by any Senator, communications from the legislatures, or conventions lawfully called of the respective States, and motions to print by order of the standing committees of the Senate; motions to print additional numbers shall likewise be referred to the said committee; and when the report shall be in favor of printing additional numbers it shall be accompanied by an estimate of the probable cost; the said committee shall also supervise and direct the procuring of maps and drawings accompanying documents ordered to be printed.

A Committee on Engrossed Bills, to consist of three members, whose duty it shall be to examine all bills, amendments, resolutions, or motions, before they go out of the possession of the Senate; and shall deliver the same to the Secretary of the Senate, who shall enter upon the Journal that the same have been correctly engrossed.

A Committee on Enrolled Bills, to consist of three members.

On motion by Mr. Butler to be excused from serving on any of the committees of the Senate,

It was determined in the negative.

On motion by Mr. Benjamin,

The Senate adjourned.

FRIDAY, MARCH 6, 1857.

Mr. Seward presented a petition of subjects of Her Majesty Victoria, Queen of Great Britain and Ireland, relating to a convention signed at Paris the 16th of April, 1856; and,

On motion by Mr. Seward,

Ordered, That it be not received.

Mr. Bigler presented a protest of forty-four members of the house of representatives, and a protest of fifteen members of the senate of the State of Pennsylvania against the proceedings under which the honorable Simon Cameron claims to represent the State in the Senate of the United States from the 4th of March, 1857.

Ordered, That they lie on the table.

Mr. Pearce submitted the following resolution; which was considered, by unanimous consent, and agreed to.

Resolved, That the vacancy of the Board of Regents of the Smithsonian Institution, occasioned by the expiration of the term of the honorable James M. Mason, be now filled by the President of the Senate.

Whereupon

The honorable James M. Mason was appointed.

Mr. Yulee presented the credentials of the honorable Stephen R. Mallory, elected a Senator by the general assembly of the State of Florida, for six years from the fourth day of March, A. D. 1857; which were read.

Mr. Jones, of Iowa, presented the petition of certain residents of Council Bluffs, praying the confirmation of military land warrants, issued under the act of March 3, 1855, in cases where excesses above said warrants were paid, by the persons locating them, in cash.

Ordered, That it lie on the table.

On motion by Mr. Gwin,

Ordered, That when the Senate adjourn it be to Monday next.

The following message was received from the President of the United States, by Mr. William Hunter, chief clerk of the Department of State:

To the Senate of the United States:

I nominate Lewis Cass, of Michigan, to be Secretary of State.
Howell Cobb, of Georgia, to be Secretary of the Treasury.
Jacob Thompson, of Mississippi, to be Secretary of the Interior.
John B. Floyd, of Virginia, to be Secretary of War.
Isaac Toucey, of Connecticut, to be Secretary of the Navy.
Aaron V. Brown, of Tennessee, to be Postmaster-General.
Jeremiah S. Black, of Pennsylvania, to be Attorney-General.

JAMES BUCHANAN.

WASHINGTON, March 6, 1857.

The message was read.

On motion by Mr. Mason,

The Senate, by unanimous consent, proceeded to consider the nominations of Lewis Cass, Howell Cobb, Jacob Thompson, John B. Floyd, Isaac Toucey, Aaron V. Brown, and Jeremiah S. Black; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Gwin,

The Senate adjourned.

MONDAY, MARCH 9, 1857.

The Vice-President presented resolutions of the general assembly of the State of Ohio, in relation to the official acknowledgment of the Republic of Liberia by the Government of the United States as an independent sovereignty; which were read.

Ordered, That they lie on the table and be printed.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent:

Resolved, That the following be the standing committees of the Senate during the present session.

A Committee on Foreign Relations, consisting of Mr. Mason, Mr. Douglas, Mr. Slidell, Mr. Polk, Mr. Crittenden, Mr. Seward, and Mr. Foot.

A Committee on Finance, consisting of Mr. Hunter, Mr. Pearce, Mr. Mr. Gwin, Mr. Bright, Mr. Biggs, Mr. Fessenden, and Mr. Cameron.

A Committee on Commerce, consisting of Mr. Clay, Mr. Benjamin, Mr. Bigler, Mr. Toombs, Mr. Reid, Mr. Bright, and Mr. Hamlin.

A Committee on Military Affairs, consisting of Mr. Davis, Mr. Fitzpatrick, Mr. Johnson, Mr. Iverson, Mr. Broderick, Mr. Wilson, and Mr. King.

A Committee on Naval Affairs, consisting of Mr. Mallory, Mr. Thomson, of New Jersey, Mr. Slidell, Mr. Allen, Mr. Green, Mr. Bell, of Tennessee, and Mr. Hale.

A Committee on Public Lands, consisting of Mr. Stuart, Mr. Johnson, Mr. Pugh, Mr. Mallory, Mr. Broderick, Mr. Foster, and Mr. Harlan.

A Committee on Private Land Claims, consisting of Mr. Benjamin, Mr. Biggs, Mr. Thompson, of Kentucky, Mr. Kennedy, and Mr. Durkee.

A Committee on Indian Affairs, consisting of Mr. Sebastian, Mr. Brown, Mr. Reid, Mr. Fitch, Mr. Bell, of Tennessee, Mr. Houston, and Mr. Doolittle.

A Committee of Claims, consisting of Mr. Iverson, Mr. Yulee, Mr. Polk, Mr. Bell, of N. Hampshire, and Mr. Simmons.

A Committee on Revolutionary Claims, consisting of Mr. Evans, Mr. Bates, Mr. Crittenden, Mr. Wilson, and Mr. Durkee.

A Committee on the Judiciary, consisting of Mr. Butler, Mr. Bayard, Mr. Toombs, Mr. Pugh, Mr. Benjamin, Mr. Collamer, and Mr. Trumbull.

A Committee on the Post-Office and Post-Roads, consisting of Mr. Rusk, Mr. Yulee, Mr. Bigler, Mr. Gwin, Mr. Fitch, Mr. Collamer, and Mr. Dixon.

A Committee on Pensions, consisting of Mr. Jones, Mr. Thomson, of New Jersey, Mr. Clay, Mr. Bates, Mr. Thompson, of Kentucky, Mr. Foster, and Mr. King.

A Committee on the District of Columbia, consisting of Mr. Brown, Mr. Mason, Mr. Allen, Mr. Rusk, Mr. Kennedy, Mr. Hamlin, and Mr. Chandler.

A Committee on Patents and the Patent Office, consisting of Mr. Reid, Mr. Evans, Mr. Davis, Mr. Simmons, and Mr. Trumbull.

A Committee on Territories, consisting of Mr. Douglas, Mr. Jones, Mr. Sebastian, Mr. Fitzpatrick, Mr. Green, Mr. Sumner, and Mr. Wade.

A Committee to Audit and Control the Contingent expenses of the Senate, consisting of Mr. Evans, Mr. Wright, and Mr. Dixon.

A Committee on Public Buildings and Grounds, consisting of Mr. Bayard, Mr. Hunter, Mr. Thomson, of New Jersey, Mr. Douglas, and Mr. Hale.

A Committee on Printing, consisting of Mr. Johnson, Mr. Fitzpatrick, and Mr. Bell, of New Hampshire.

A Committee on Engrossed Bills, consisting of Mr. Wright, Mr. Bigler, and Mr. Harlan.

A Committee on Enrolled Bills, consisting of Mr. Jones, Mr. Brown, and Mr. Doolittle.

A Committee on the Library, consisting of Mr. Pearce, Mr. Bayard, and Mr. Butler.

On the question to agree to the resolution,
 It was determined in the affirmative, { Yeas----- 29
{ Nays----- 18

On motion by Mr. Hamlin,

The yeas and nays being desired by one-fifth of the Senators present,
 Those who voted in the affirmative are,
 Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Broderick, Brown,
 Butler, Clay, Davis, Douglas, Evans, Fitch, Fitzpatrick, Green, Gwin,
 Hunter, Iverson, Johnson, Jones, Mason, Reid, Rusk, Sebastian, Seward,
 Slidell, Thomson of New Jersey, Toombs, Yulee.

Those who voted in the negative are,

Messrs. Bell of New Hamp., Cameron, Chandler, Collamer, Dixon,
 Doolittle, Durkee, Fessenden, Foot, Foster, Hamlin, Harlan, King,
 Simmons, Stuart, Trumbull, Wade, Wilson.

So the resolution was agreed to.

On motion by Mr. Wade,

Ordered, That the resolutions of the legislature of Ohio, presented
 this day, be referred to the Committee on Foreign Relations.

On motion by Mr. Trumbull,

Ordered, That the papers on file relating to the election of the honorable
 Graham N. Fitch by the legislature of Indiana be referred to the
 Committee on the Judiciary.

Mr. Benjamin submitted the following resolution for consideration:

Resolved, That the following be added as an additional rule: "All
 subjects before the Senate at the close of the first session of each Congress,
 including those before committees, shall be resumed and proceeded with at the second session of the same Congress in the same
 manner as if no adjournment of the Senate had taken place; and all
 memorials, petitions and other papers referred to committees at the
 first session and returned to the office of the Secretary at the close of
 that session shall be returned to the same committees at the commencement
 of the second session."

Mr. Crittenden submitted the following resolutions; which were read
 and ordered to be printed.

Resolved, That, in the judgment of the Senate, the complete exemption
 of all vessels of commerce and their cargoes from seizure or capture
 in time of war would be a signal blessing to mankind, and that, to the
 accomplishment of an end so desirable, the Senate will always be ready
 to give them hearty aid and co-operation.

Resolved, That the mere abolition of privateering would not accomplish
 that end, but would in its operation be unequal and unjust, depriving the United States of a most effectual means of hostility and
 retaliation against a superior naval power, which, by means of its greater
 number of public ships might, almost with impunity, destroy or cripple
 our commerce and, therefore, such abolition alone would be inconsistent
 with the policy and interest of the United States.

Resolved, That the policy of the United States, coinciding with the
 general interest of mankind, is well explained and vindicated in the
 statesman-like letter of the American Secretary of State, Mr. Marey, to
 the Count de Sartiges, of July 28, 1856.

Resolved, therefore, That the course pursued by President Pierce, as
 stated in his last annual message, in reference to certain rules or principles
 of maritime law in time of war, agreed upon and declared by plenipotentiaries of Russia, France, Great Britain, Austria, Prussia, Sardinia, and Turkey, and submitted to him for adoption by this Government, meets the cordial approbation and concurrence of the Senate.

On motion by Mr. Cameron,

Ordered, That the protest of certain members of the house of representatives of the State of Pennsylvania and the protest of members of the Senate of the said State, presented the 6th of March, be referred to the Committee on the Judiciary.

Mr. Cameron submitted the following resolution; which was considered, by unanimous consent, and agreed to.

Resolved, That the Secretary of the Treasury be directed to furnish to the Senate a statement, at the commencement of the next session, showing the cost of the printing, binding, and paper ordered by Congress for each year, beginning with December, 1845, and ending with the late session.

On motion by Mr. Mason,

Ordered, That the following treaties, remaining undisposed of at the termination of the late session, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate:

The treaty of friendship, commerce, navigation, and extradition between the United States and the Republic of Chili, signed at Santiago the 27th day of May, 1856.

The treaty of amity, commerce, and navigation, and for the surrender of fugitive criminals between the United States and Venezuela, signed the 10th day of July, 1856.

The treaty between the United States and the Kingdom of Siam, concluded the 29th day of May, 1856, at Bang Kok.

The treaty between the United States and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, relative to Central America, concluded and signed at London the 17th day of October, 1856.

The convention between the United States and the Republic of Peru, relative to the rights of neutrals at sea, concluded at Lima the 22d day of July, 1856.

The treaty of friendship and commerce between the United States and the Shah of Persia, signed at Constantinople on the thirteenth day of December, 1856.

The treaty between the United States and His Majesty the King of the Hawaiian Islands.

The treaty between the United States and the Republic of Chili, to determine, in a precise manner, the rights, privileges, and duties of the consuls of the two countries, signed at Santiago December 1, 1856.

The convention for the mutual delivery of criminals, fugitives from justice in certain cases, concluded between the United States on the one part and the Grand Duchy of Baden on the other part at Berlin the 30th day of January, 1857.

On motion by Mr. Mason,

Ordered, That the report of the Secretary of State, together with the correspondence and documents connected with the treaty concluded at London between the United States and Great Britain the 17th day of October, 1856, relative to Central America, be printed in confidence for the use of the Senate.

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v. 37

TUESDAY, MARCH 10, 1857.

On motion by Mr. Durkee,

Ordered, That John G. Parker have leave to withdraw his petition and papers.

The Senate proceeded to consider the resolution, submitted by Mr. Pugh the 5th instant, to fix the time for closing the present session of the Senate by an adjournment *sine die*; and

The resolution having been amended, on the motion of Mr. Pugh, to read as follows:

Resolved, That the Senate will adjourn, without day, on Saturday, the 14th instant, at one o'clock p. m.

On motion by Mr. Mason that it lie on the table,

It was determined in the negative, { Yeas.....	20
Nays	23

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell of Tennessee, Cameron, Collamer, Crittenden, Doolittle, Douglas, Durkee, Evans, Foot, Foster, Kennedy, Mason, Seward, Simmons, Stewart, Thompson of New Jersey, Trumbull, Wade, Wright.

Those who voted in the negative are,

Messrs. Bayard, Bell of New Hampshire, Benjamin, Bigler, Bright, Broderick, Brown, Chandler, Fitch, Green, Gwin, Hamlin, Harlan, Houston, Iverson, Johnson, Jones, Polk, Pugh, Rusk, Slidell, Toombs, Wilson.

After debate,

Ordered, That the further consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the resolutions, submitted by Mr. Crittenden the 9th instant, respecting the exemption of vessels of commerce and their cargoes from seizure and capture in time of war; and

On motion by Mr. Crittenden,

Ordered, That they be referred to the Committee on Foreign Relations.

The following messages were received from the President of the United States, by Mr. Henry, his secretary :

To the Senate of the United States:

I nominate George P. Turner, of Virginia, to be a second lieutenant in the Marine Corps, from the 27th of September, 1856, vice Freeman Norvell, whose nomination was withdrawn; and

Allan Ramsey, of the District of Columbia, to be a second lieutenant in the Marine Corps, from the 1st of March, 1857, vice Erasmus H. Youngblood, resigned.

JAMES BUCHANAN.

WASHINGTON CITY, *March 10, 1857.*

To the Senate of the United States:

In pursuance of the authority conferred upon the President by the third section of the "act to amend an act entitled 'An act to promote the efficiency of the Navy,'" approved January 16, 1857, to transfer any officer from the furlough to the reserved pay list, I hereby nominate Captain F. A. Parker to be so transferred.

JAMES BUCHANAN.

WASHINGTON CITY, *March 10, 1857.*

To the Senate of the United States:

I nominate Delavan Bloodgood, of Springville, Erie County, New York, to be an assistant surgeon in the Navy, vice Passed Assistant Surgeon E. K. Kane, deceased.

JAMES BUCHANAN.

WASHINGTON CITY, *March 10, 1857.*

To the Senate of the United States:

I hereby nominate Samuel R. Anderson to be deputy postmaster at Nashville, County of Davidson, State of Tennessee, whose present commission will expire on the 23d of March, 1857.

JAMES BUCHANAN.

WASHINGTON, *March 10, 1857.*

To the Senate of the United States:

I nominate I. C. Ramsey, of Tennessee, for reappointment as United States attorney for the eastern district of said State, to take effect from March 22, 1857, the date of expiration of his present commission.

JAMES BUCHANAN.

MARCH 10, 1857.

To the Senate of the United States:

I nominate Hamden McClanahan, of Tennessee, for appointment as United States marshal for the western district of said State, to take effect from March 16, 1857, the date of the expiration of the commission of Robert J. Chester, the present incumbent.

JAMES BUCHANAN.

MARCH 10, 1857.

To the Senate of the United States:

I nominate William M. Lowry, of Tennessee, for reappointment as United States marshal for the eastern district of said State, to take effect from March 21, 1857, the date of expiration of his present commission.

JAMES BUCHANAN.

MARCH 10, 1857.

To the Senate of the United States:

I nominate Joseph S. Smith, of Washington Territory, for appointment as United States attorney for said Territory, vice Henry R. Crosbie, whose commission expired with the termination of the recent session of the Senate.

JAMES BUCHANAN.

MARCH 10, 1857.

To the Senate of the United States:

I nominate Jesse B. Clemens, of Tennessee, for reappointment as United States marshal for the middle district of said State, to take effect from March 17, 1857, the date of expiration of his present commission.

JAMES BUCHANAN.

MARCH 10, 1857.

To the Senate of the United States:

I nominate Charles S. Frailey, of the District of Columbia, to be a justice of the peace within and for said District.

JAMES BUCHANAN.

WASHINGTON, *March 9th, 1857.*

To the Senate of the United States:

I nominate James W. Nesmith, of Oregon, to be superintendent of Indian affairs for the Territory of Washington and Oregon.

JAMES BUCHANAN.

WASHINGTON, *March 9th, 1857.*

To the Senate of the United States:

I nominate Theodorus Bailey to be a captain in the Navy, from the 15th December, 1857, vice Captain Joel Abbot, deceased.

Hugh Y. Purviance to be a captain in the Navy, from the 28 January, 1856, vice Captain Charles Morris, deceased.

William F. Lynch to be a captain in the Navy, from the 2d April, 1856, vice Captain Isaac McKeever, deceased.

Henry W. Morris to be a captain in the Navy, from the 27 December, 1856, vice Captain Bladen Dulany, deceased.

Francis B. Ellison to be a captain in the Navy, from the 2d of March, 1857, vice Captain A. Bigelow, resigned.

Alexander M. Pennock to be a commander in the Navy, from the 15 December, 1855, vice Commander T. Bailey, promoted.

George F. Emmons to be a commander in the Navy, from the 28th January, 1856, vice Commander H. Y. Purviance, promoted.

Edward Middleton to be a commander in the Navy, from the 2d April, 1856, vice Commander W. F. Lynch, promoted.

Thomas T. Hunter to be a commander in the Navy, from the 23 December, 1856, vice Commander S. Larkin, deceased.

Gustavus H. Scott to be a commander in the Navy, from the 27 December, 1856, vice Commander H. W. Morris, promoted.

David McDougal to be a commander in the Navy, from the 24 January, 1857, vice Commander J. H. Rowan, dismissed.

Charles F. McIntosh, to be a commander in the Navy, from the 2d March, 1857, vice Commander F. B. Ellison, promoted.

De Grasse Livingston to be a lieutenant in the Navy, from the 18th of November, 1855, vice Lieutenant A. McRae, deceased.

William E. Fitzhugh to be a lieutenant in the Navy, from the 15 December, 1855, vice Lieutenant A. M. Pennock, promoted.

Trevitt Abbott to be a lieutenant in the Navy, from the 7 January, 1856, vice Lieutenant George E. Morgan, deceased.

Benjamin P. Loyall to be lieutenant in the Navy, from the 28 January, 1856, vice Lieutenant G. F. Emmons, promoted.

Charles H. Cushman to be lieutenant in the Navy, from the 8th February, 1856, vice Lieutenant M. Rush, resigned.

Oscar F. Stanton to be lieutenant in the Navy, from the 2 of April, 1856, vice Lieutenant E. Middleton, promoted.

William H. Cheever to be a lieutenant in the Navy, from the 11th May, 1856, vice Lieutenant John K. Wilson, resigned.

Henry A. Adams to be a lieutenant in the Navy, from the 11th May, 1856, vice Lieutenant E. H. Oakley, resigned.

George Brown to be a lieutenant in the Navy, from the 2d June, 1856, vice Lieutenant F. C. Eaton, deceased.

Charles E. Hawley to be a lieutenant in the Navy, from the 26 June, 1856, vice Lieutenant E. Brinley, resigned.

Bushrod B. Taylor to be a lieutenant in the Navy, from the 31st July, 1856, vice Lieutenant G. V. Fox, resigned.

William H. Ward to be a lieutenant in the Navy, from the 9th September, 1856, vice Lieutenant Thomas Young, resigned.

Robert L. May to be a lieutenant in the Navy, from the 26 September, 1856, vice Lieutenant J. S. Biddle, resigned.

John W. Dunnington to be a lieutenant in the Navy, from the 16 October, 1856, vice Lieutenant James Parker, jr., resigned.

Hudson M. Garland to be a lieutenant in the Navy, from the 17 October, 1856, vice Lieutenant Charles W. Aby, deceased.

James W. Shirk to be a lieutenant in the Navy, from the 5 November, 1856, vice Lieutenant Joseph S. Day, deceased.

Jesse Taylor to be a lieutenant in the Navy, from the 26 November, 1856, vice Lieutenant John T. Walker, deceased.

James G. Maxwell to be a lieutenant in the Navy, from the 23d December, 1856, vice Lieutenant T. T. Hunter, promoted.

Henry Erben to be a lieutenant in the Navy, from the 27 December, 1856, vice Lieutenant G. H. Scott, promoted.

Francis E. Shepperd to be a lieutenant in the Navy, from the 1 January, 1857, vice Lieutenant James Higgins, resigned.

Thomas P. Pelot, to be a lieutenant in the Navy, from the 1st January, 1857, vice Lieutenant J. G. Heiléman, resigned.

Edward P. McCrea to be a lieutenant in the Navy, from the 24 January, 1857, vice Lieutenant D. McDougal, promoted.

Edward C. Stockton to be a lieutenant in the Navy, from the 7th February, 1857, vice Lieutenant C. E. Fleming, dismissed.

JAMES BUCHANAN.

WASHINGTON, March 10, 1857.

The messages were read.

Ordered, That the nominations of George P. Turner, Allan Ramsay, Captain F. A. Parker, Delavan Bloodgood, and Theodorus Bailey, and others be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Samuel R. Anderson be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of I. C. Rainsey, Hamden McClanahan, William M. Lowry, Joseph S. Smith, and Jesse B. Clements be referred to the Committee on the Judiciary.

Ordered, That the nomination of Charles S. Frailey be referred to the Committee on the District of Columbia.

Ordered, That the nomination of James A. Nesmith be referred to the Committee on Indian Affairs.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty of amity, commerce, and navigation, and for the surrender of fugitive criminals, concluded and signed between the plenipotentiaries of the United States of America and the Republic of Venezuela, July 10, 1856, reported it with an amendment.

The said treaty was read the second time and considered as in Committee of the Whole, and the reported amendment was unanimously agreed to; and no further amendment being made, the treaty was reported to the Senate and the amendment was unanimously agreed to.

Mr. Mason submitted the following resolution for consideration:

Resolved, (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty of amity, commerce, and navigation, and for the surrender of fugitive criminals, concluded and signed between the plenipotentiaries of the United States of America and the Republic of Venezuela July 10, 1856, with the following amendment:

Article XXVIII: after the word "money" strike out the words "or the emission of forged papers."

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative, { Yeas..... 37
{ Nays..... 2

Those who voted in the affirmative are,

Messrs. Allen, Bayard, Bell of Tennessee, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Collamer, Crittenden,

Davis, Dixon, Doolittle, Fitch, Foot, Foster, Green, Hamlin, Harlan, Houston, Iverson, Jones, Kennedy, King, Mason, Polk, Reid, Rusk, Seward, Simmons, Steward, Toombs, Wade, Wilson.

Those who voted in the negative are,

Messrs. Pugh, Trumbull.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty of friendship, commerce, navigation, and extradition between the United States and the Republic of Chili, signed at Santiago the 27th day of May, 1856, reported it with amendments.

The said treaty was read the second time and considered as in Committee of the Whole.

The first reported amendment being to strike out the VIII article,

On the question, Shall the VIII article stand as a part of the treaty?

It was determined in the negative,	{ Yeas.....	5
	Nays.....	38

Those who voted in the affirmative are,

Messrs. Bell of New Hampshire, Durkee, Trumbull, Toombs, Wilson.

Those who voted in the negative are

Messrs. Allen, Bell of Tennessee, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clay, Collamer, Davis, Dixon, Doolittle, Fitch, Foot, Foster, Green, Gwin, Hamlin, Harlan, Houston, Hunter, Jones, Kennedy, King, Mason, Polk, Reid, Rusk, Seward, Slidell, Stuart, Thomson of New Jersey, Wade, Wright.

So the first reported amendment was agreed to.

The other reported amendments were unanimously agreed to; and no further amendment being made, the treaty was reported to the Senate and the amendments were unanimously agreed to.

Mr. Mason submitted the following resolution for consideration:

Resolved (*two thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty of friendship, commerce, and navigation and extradition between the United States and the Republic of Chili, signed at Santiago the 27th day of May, 1856, with the following amendments:

Article VIII: Strike out this article.

Article XV: After the word "forgery," strike out the words "the utterance of forged papers."

Article XXVI: Strike out the following words from this article:

"When, in case of war, and in order to protect the interests of the State seriously compromised, the welfare of the country may render indispensable an embargo, or general closing of one or several of its ports by either of the contracting parties, it is stipulated that if the embargo, or closing of the ports, does not exceed six days, the merchant vessels which may have been included in this measure shall not claim any indemnity on account of lay days, or prejudice to their interests; but if the detention should be more than six days, and does not exceed twelve, the Government which may have laid on the embargo, or closing of the ports, shall be obliged to refund to the masters of the vessels detained, as an indemnity, the amount of expenses arising from the wages and support of their crews from the time they may have been forced to remain, counting from the seventh day. If circumstances of a very exceptional gravity should render it necessary to prolong the embargo beyond the term of twelve days, the Government, author of

the measure, shall be obliged to indemnify the vessels detained for the losses and prejudices suffered from the forced detention in consequence of the embargo or closing of the ports."

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative {	Yea.....	36
	Nays.....	3

Those who voted in the affirmative are,

Messrs. Allen, Bell of N. Hampshire, Bell of Tennessee, Biggs, Bigler, Bright, Broderick, Cameron, Clay, Collamer, Crittenden, Davis, Dixon, Doolittle, Durkee, Evans, Fessenden, Fitch, Foot, Foster, Green, Gwin, Hamlin, Harlan, Houston, Jones, Kennedy, King, Mason, Polk, Reid, Rusk, Seward, Toombs, Wade, Wright.

Those who voted in the negative are,

Messrs. Pugh, Trumbull, Wilson.

The resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty of friendship and commerce between the United States and the Shah of Persia, signed at Constantinople on the 13th day of December, 1856, reported it without amendment.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of friendship and commerce between the United States and the Shah of Persia, signed at Constantinople on the 13th day of December, 1856.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative, {	Yea.....	36
	Nays.....	2

Those who voted in the affirmative are,

Messrs. Allen, Bell of N. Hampshire, Bell of Tennessee, Biggs, Bigler, Bright, Broderick, Cameron, Clay, Collamer, Crittenden, Davis, Dixon, Doolittle, Evans, Fessenden, Fitch, Foot, Foster, Green, Gwin, Harlan, Houston, Jones, Kennedy, Mason, Polk, Reid, Rusk, Seward, Simmons, Thomson of N. Jersey, Toombs, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Hamlin, Pugh.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty between the United States and the Republic of Chili, to determine, in a precise manner, the rights, privileges, and duties of the consuls of the two countries, signed at the city of Santiago on the first day of December, 1850, reported it with amendments.

The said treaty was read the second time and considered as in Committee of the Whole; and the reported amendments were unanimously agreed to.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the

United States and the Republic of Chili, to determine, in a precise manner, the rights, privileges, and duties of the two countries, signed at the city of Santiago on the first day of December, 1856, with the following amendments:

Article III: After the words "and a seat" strike out the words "of preference."

Article VIII: After the words "may arrest the" strike out the word "officers."

After the words "of their own nation" insert the words *including inferior officers of merchant vessels.*

The Senate, by unanimous consent, proceeded to consider the said resolution, and on the question to agree thereto,

It was determined in the affirmative, yeas 37.

Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Butler, Chandler, Clay, Collamer, Crittenden, Davis, Dixon, Evans, Fitch, Foot, Foster, Green, Gwin, Hamlin, Harlan, Iverson, Jones, Kennedy, Mason, Polk, Reid, Rusk, Seward, Simmons, Stuart, Thompson of N. Jersey, Toombs, Trumbull, Wade, Wilson.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

On motion by Mr. Mason,

Ordered, That when the Senate adjourn, it be to one o'clock to-morrow.

WEDNESDAY, MARCH 11, 1857.

On motion by Mr. Rusk,

Ordered, That the petition of William A. Cameron, on the files of the Senate, be referred to the Committee of Claims.

On motion by Mr. Kennedy,

Ordered, That Samuel W. Lecompte have leave to withdraw his petition and papers.

Mr. Wilson submitted the following resolution for consideration:

Resolved, That the Postmaster-General be directed to furnish the Senate, at as early a day as practicable, with copies of any instructions which may have been issued by the Post-Office Department authorizing postmasters to neglect or to refuse to deliver letters to parties entitled to the same, with a view to exact more than the lawful postage.

Resolved further, That he be also directed to furnish the Senate with copies of the following-named letters, to wit: A letter from the First Assistant Postmaster-General, under date of August 16, 1856, addressed to the postmaster at San Francisco; a letter from the same officer, and under the same date, addressed to Henry L. Goodwin, of San Francisco; also the letters to which the above-named communications were in reply; and, in addition thereto, copies of the correspondence that has been held since July, 1855, between the Post-Office Department and the postmaster and assistant postmaster of San Francisco in relation to the course pursued by the post office authorities towards the Penny Post Company of California.

Mr. Benjamin, from the Committee on the Judiciary, to whom were referred a protest of members of the Senate and a protest of members of the house of representatives of the State of Pennsylvania, against the election of the honorable Simon Cameron as a Senator in Congress, submitted a report (No. 1), accompanied by the following resolution:

Resolved, That Committee on the Judiciary be discharged from the further consideration of the subject.

Ordered, That the report be printed.

Mr. Pugh submitted the views of the minority of the Committee on the Judiciary on the same subject; which were ordered to be printed with the report of the committee.

Mr. Foot submitted the following resolution for consideration:

Resolved, That Simon Cameron is entitled to a seat upon this floor as a legally chosen Senator from the State of Pennsylvania.

Mr. Benjamin submitted the following resolution for consideration:

Resolved, That the Secretary of the Senate obtain, for the use of the Senate, from the reporter of the decisions of the Supreme Court, 20,000 copies of the opinion of the Judges of the Supreme Court in the case of Dred Scott vs. John F. A. Sanford, the same to be furnished as an extract from the forthcoming volume of the reports of the decisions of that court during the December term, 1856, and that the same be paid for out of the contingent fund of the Senate, at a rate not exceeding fifteen cents per one hundred pages: *Provided*, The same shall be delivered stitched, with paper covers, in pamphlet form.

On motion by Mr. Mason that the Senate proceed to the consideration of executive business,

It was determined in the affirmative,	{ Yeas	24
	Nays	22

On motion by Mr. Mason,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allen, Bell of Tennessee, Crittenden, Davis, Doolittle, Douglas, Durkee, Evans, Foot, Foster, Gwin, Hunter, Iverson, Kennedy, Mason, Reid, Rusk, Seward, Simmons, Stuart, Toombs, Trumbull, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell of New Hampshire, Biggs, Bigler, Bright, Broderick, Brown, Butler, Clay, Dixon, Fitch, Hamlin, Harlan, Houston, John-King, Polk, Hugh, Sebastian, Slidell, Thomson of New Jersey, Wade, Wilson.

The following messages were received from the President of the United States, by Mr. Henry, his secretary:

To the Senate of the United States:

I nominate Flavius J. Lovejoy, of Mississippi, to be attorney of the United States for the northern district of Mississippi, in the place of James A. Orr, resigned.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate William E. Murphy, of Kansas, to be Indian agent for the Pottowatomie Indians, in the place of Isaac Winston, whose nomination is withdrawn.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate Felix Livingston to be collector of customs for the district of Fernandina, in the State of Florida, under the act approved March 3, 1857.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate Henry C. Lowell, of Minnesota, to be register of the land office at Faribault, Minnesota Territory, in the place of Diedrich Upman, removed.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate Joseph Genvis, to be naval officer for the district of New Orleans, in the State of Louisiana, from the 6th of April, 1857, when his present commission will expire.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate William S. Reyburn to be "additional appraiser-general," under the act approved March 3, 1837.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate I. I. McCormick to be assistant appraiser of merchandise for the port of New Orleans, in the State of Louisiana, vice William P. Reyburn.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate F. H. Hatch to be collector of the customs for the district of New Orleans, in the State of Louisiana, in the place of Thomas C. Porter, resigned.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate James L. Collins, of New Mexico, superintendent of Indian affairs in New Mexico, under the act of 3d of March, 1857.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate John Walker, of Tennessee, an Indian agent in New Mexico, under the act of 3d March, 1857.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate Elias S. Dennis, of Illinois, to be United States marshal for the Territory of Kansas.

JAMES BUCHANAN.

WASHINGTON, March 11, 1857.

To the Senate of the United States:

I nominate Richard R. Crawford, of the District of Columbia, to be a justice of the peace within and for said District.

JAMES BUCHANAN.

WASHINGTON, *March 11, 1857.*

The messages were read.

Ordered, That the nominations of Flavius J. Lovejoy and Elias S. Dennis be referred to the Committee on the Judiciary.

Ordered, That the nominations of Felix Livingston, Joseph Genvis, William P. Keyburn, J. J. McCormick, and F. H. Hatch be referred to the Committee on Commerce.

Ordered, That the nominations of William E. Murphy, James L. Collins, and John Walker be referred to the Committee on Indian Affairs.

Ordered, That the nomination of Henry C. Lowell be referred to the Committee on Public Lands.

Ordered, That the nomination of Richard R. Crawford be referred to the Committee on the District of Columbia.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 10th instant, the nomination of Samuel R. Anderson, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Brown, from the Committee on the District of Columbia, to whom was referred the nomination of Charles S. Frailey, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the conventions for the delivery of criminals, fugitives from justice in certain cases, concluded between the United States on the one part and the Grand Duchy of Baden on the other part, at Berlin on the 30th day of January, 1857, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the convention between the United States of America and the Republic of Peru, relative to the right of neutrals at sea, concluded at Lima the twenty-second July, one thousand eight hundred and fifty-six, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty between the United States and their Majesties the First King of Siam and the Second King of Siam, concluded at Bangkok on the 29th day of May, 1856, reported it with an amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty between the United States and His Majesty the King of the Hawaiian Islands, signed in Washington the 20th day of July, 1855, reported adversely thereon.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th instant, the treaty between the United States and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, relative to Central America, concluded and signed at London on the 17th day of October, 1856, reported it without amendment.

The treaty between the United States and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, relative to Central

America, concluded and signed at London on the 17th day of October, 1856, was read the second time and considered as in Committee of the Whole.

On motion by Mr. Mason to amend the said treaty by striking out the ninth article in the following words:

"Article IX. The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland bind themselves, in case the Republics of Nicaragua and Costa Rica, or either of them, should refuse to accept the arrangements contained in the preceding articles not to propose nor consent to any other arrangements more favorable to the refusing party or parties."

On the question, Shall the 9th article stand as part of the treaty?

It was determined in the negative,	{ Yeas.....	2
	Nays.....	41

Those who voted in the affirmative are,

Messrs. Pugh, Wade.

Those who voted in the negative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Benjamin, Biggs, Bigler, Broderick, Butler, Cameron, Clay, Crittenden, Davis, Dixon, Doolittle, Durkee, Evans, Fitch, Foot, Foster, Gwin, Hamlin, Harlan, Houston, Hunter, Iverson, Johnson, Kennedy, King, Mason, Polk, Reid, Sebastian, Seward, Simmons, Slidell, Stuart, Thomson of New Jersey, Toombs, Trumbull, Wilson, Yulee.

So, two-thirds of the Senators present not voting to retain the ninth article, it was stricken out.

On motion by Mr. Mason, further to amend the said treaty by striking out the second clause of the second article of the separate articles

On motion by Mr. Bell, of Tennessee, the further consideration of the said treaty was postponed until to-morrow.

On motion by Mr. Bell, of Tennessee,

Ordered, That the treaty with Great Britain be printed with numbered lines, together with all the amendments submitted, and proposed as intended to be submitted, in confidence for the use of the Senate.

On motion by Mr. Bell, of Tennessee,

Ordered, That when the Senate adjourn it be to 1 o'clock p. m. to-morrow.

On motion, the Senate adjourned.

THURSDAY, MARCH 12, 1857.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Benjamin, directing the Secretary to procure for the use of the Senate 20,000 copies of the opinion of the Supreme Court in the case of *Dred Scott vs. John F. A. Sanford*; and

Ordered, That it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That there be paid out of the contingent fund to each of the employés of the Senate and the Congressional Library, the same compensation that is allowed to the employés of the House by a resolution of the House of Representatives of the 2d of March, 1837.

On motion by Mr. Kennedy,

Ordered, That A. H. Kilty have leave to withdraw his petition and papers.

On motion by Mr. Rusk,

Ordered, That David Gordon have leave to withdraw his petition and papers.

The convention for the mutual delivery of criminals, fugitives from justice, in certain cases between the United States on the one part, and the Grand Duchy of Baden on the other part, at Berlin, on the 30th day of January, 1857, was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration.

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention for the mutual delivery of criminals, fugitives from justice in certain cases, concluded between the United States on the one part, and the Grand Duchy of Baden on the other part, at Berlin, on the 30th day of January, 1857.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative,	{	Yea ^s	28
		Nay ^s	4

Those who voted in the affirmative are,

Messrs. Allen, Bell, of Tennessee, Benjamin, Biggs, Bigler, Broderick, Cameron, Chandler, Davis, Doolittle, Evans, Fitch, Fitzpatrick, Foster, Gwin, Hamlin, Houston, Iverson, Kennedy, King, Mason, Rusk, Seward, Simmons, Stuart, Thomson of N. Jersey, Toombs, Wade.

Those who voted in the negative are,

Messrs. Bright, Pugh, Trumbull, Yulee.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The convention between the United States of America and the Republic of Peru, concluded at Lima the 22d day of July, 1856, was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the convention between the United States and the Republic of Peru, relative to the rights of neutrals at sea, concluded at Lima the 22d day of July, 1856.

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative,	{	Yea ^s	33
		Nay ^s	2

Those who voted in the affirmative are,

Messrs. Allen, Bell of Tennessee, Benjamin, Biggs, Bigler, Broderick, Cameron, Chandler, Clay, Davis, Doolittle, Durkee, Evans, Fitch, Fitzpatrick, Foster, Gwin, Hamlin, Houston, Hunter, Iverson, Kennedy, Mason, Rusk, Seward, Simmons, Slidell, Stuart, Thomson of N. J., Toombs, Trumbull, Wade, Wilson.

Those who voted in the negative are,

Messrs. Bright, Yulee.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Allen, from the Committee on the District of Columbia, to whom was referred, the 11th instant, the nomination of Richard R. Crawford, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Clay, from the Committee on Commerce, to whom were referred, the 11th instant, the nominations of F. H. Hatch, J. J. McCormick, William P. Reyburn, Joseph Genois, and Felix Livingston, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Trumbull, from the Committee on the Judiciary, to whom were referred, the 10th instant, the nominations of William M. Lowry, Joseph S. Smith, J. C. Ramsay, Hamden McClanahan, John B. Clements, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 10th instant, the nomination of James W. Nesmith, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Stuart, from the Committee on Public Lands, to whom was referred, the 11th instant, the nomination of Henry C. Lowell, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Thomson, of New Jersey, from the Committee on Naval Affairs, to whom was referred the nominations of George P. Turner, Allan Ramsay, and Delavan Bloodgood, reported.

The following messages were received from the President of the United States, by Mr. Henry, his secretary:

To the Senate of the United States:

I nominate Isaac H. Sturgeon to be assistant treasurer of the United States at St. Louis, in the State of Missouri, from the 23d of March, 1857, when his present commission will expire.

JAMES BUCHANAN.

WASHINGTON, March 12th, 1857.

To the Senate of the United States:

I nominate I. Harralson to be surveyor of the customs for the port of Selma, in the State of Alabama, under the act approved March 3d, 1857.

JAMES BUCHANAN.

WASHINGTON, March 12th, 1857.

To the Senate of the United States:

I nominate for regular promotion in the Army of United States the officer named in the accompanying letter of the Secretary of War.

JAMES BUCHANAN.

WASHINGTON, March 10, 1857.

WAR DEPARTMENT, *March 10, 1857.*

SIR: I have the honor to propose for your approbation, the following regular promotion in the Army of the United States, viz:

Seventh Regiment of Infantry.

Second Lieutenant Andrew W. Evans to be first lieutenant, September 20, 1856, vice Stevenson, dismissed.

I am, with great respect, your obedient servant,

JOHN B. FLOYD,

Secretary of War.

To His Excellency JAMES BUCHANAN, PRESIDENT OF THE UNITED STATES:

To the Senate of the United States:

I hereby nominate Jacob Troutman to be deputy postmaster at Hamilton, county of Butler, State of Ohio, in place of L. M. Furrow, resigned.

JAMES BUCHANAN.

WASHINGTON, *March 12, 1857.*

To the Senate of the United States:

I hereby nominate John L. Bunch to be deputy postmaster at Tuscumbia, county of Franklin, State of Alabama, whose present commission will expire on the 8th of April, 1857.

JAMES BUCHANAN.

WASHINGTON, *12 March, 1857.*

To the Senate of the United States:

I hereby nominate Owen L. Cochrane to be deputy postmaster at Houston, county of Harris, State of Texas, whose present commission expires on the 8th of April, 1857.

JAMES BUCHANAN.

WASHINGTON, *12 March, 1857.*

To the Senate of the United States:

I nominate Alexander H. McKissack, of Arkansas, to be Indian agent for the Wichetas and neighboring tribes west of the Choctaws and Chickasaws.

JAMES BUCHANAN.

WASHINGTON, *March 11, 1857.*

To the Senate of the United States:

I nominate J. Patton Anderson, of Washington Territory, to be governor of said Territory, from and after the 17th day of March, 1857, when the commission of Isaac I. Stevens will expire.

Samuel Medary, of Ohio, to be governor of Minnesota Territory from the 1st day of April, 1857, when the commission of Willis A. Gorman will expire.

JAMES BUCHANAN.

WASHINGTON, *12th March, 1857.*

The messages were read.

Ordered, That the nomination of Isaac H. Sturgeon be referred to the Committee on Finance.

On motion by Mr. Clay,

The Senate, by unanimous consent, proceeded to consider the nomination of I. Harralson; and

Resolved, That the Senate advise and consent to the appointment, agreeably to the nomination.

Ordered, That the nomination of Andrew W. Evans be referred to the Committee on Military Affairs.

Ordered, That the nomination of Jacob Troutman be referred to the Committee on the Post-Office and Post-Roads.

On motion by Mr. Clay,

The Senate, by unanimous consent, proceeded to consider the nomination of John L. Bunch; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Rusk,

The Senate, by unanimous consent, proceeded to consider the nomination of Owen L. Cochrane; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Johnson,

The Senate, by unanimous consent, proceeded to consider the nomination of Alexander H. McKissack; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nominations of J. Patton Anderson and Samuel Medary be referred to the Committee on Territories.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 11th instant, the nominations of John Walker, William L. Murphy, and James L. Collins, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of said persons, agreeably to the nominations respectively.

Mr. Benjamin, from the Committee on the Judiciary, to whom were referred, the 11th instant, the nominations of Flavius J. Lovejoy and Elias S. Dennis, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, concluded and signed at London the 17th day of October, 1856.

On motion by Mr. Mason to amend the 2d article of the separate articles by striking out the second clause thereof in the following words:

"2. That the islands and their inhabitants, of Roatan, Bonaca, Utila, Barbarella, Helena, and Morat, situate in the Bay of Honduras, and known as the Bay Islands, having been by a convention bearing date the twenty-seventh day of August, eighteen hundred and fifty-six, between her Britannic Majesty and the Republic of Honduras, constituted and declared a free territory under the sovereignty of the said Republic of Honduras, the two contracting parties do hereby mutually engage to recognize and respect in all future time the independence and rights of the said free territory as a part of the Republic of Honduras;" and inserting, in lieu thereof, the following, to wit:

2. The two contracting parties do hereby mutually engage to recognize and respect the Islands of Ruatan, Bonaca, Utila, Barbarella, Helena, and Morat, situate in the Bay of Honduras, and off the coast of the Republic

of Honduras, as under the sovereignty and as part of the said Republic of Honduras.

On the question, Shall the words proposed to be stricken out stand as part of the 2d article of the separate articles?

It was determined in the negative, { Yeas 9
Nays 29

Those who voted in the affirmative are,

Messrs. Bell of New Hampshire, Chandler, Durkee, Foster, Hamlin, King, Seward, Wade, Wilson.

Those who voted in the negative are,

Messrs. Allen, Bell of Tennessee, Benjamin, Biggs, Bigler, Broderick, Brown, Cameron, Clay, Davis, Evans, Fitch, Fitzpatrick, Gwin, Houston, Hunter, Iverson, Kennedy, Mason, Pugh, Reid, Rusk, Slidell, Stuart, Thomson of New Jersey, Toombs, Trumbull, Yulee.

On the question, Shall the words proposed to be inserted in lieu of the words stricken out stand as part of the 2d article of the separate articles?

It was determined in the affirmative, { Yeas 38
Nay 1

Those who voted in the affirmative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Benjamin Biggs, Bigler, Bright, Broderick, Brown, Cameron, Chandler, Clay, Davis, Doolittle, Durkee, Evans, Fitch, Fitzpatrick, Foster, Hamlin, Houston, Johnson, Kennedy, King, Mason, Pugh, Reid, Rusk, Sebastian, Seward, Simmons, Slidell, Stuart, Thomson of New Jersey, Toombs, Trumbull, Wilson, Yulee.

Mr. Wade voted in the negative.

On motion by Mr. Slidell to amend the first article of the treaty by striking out after the word "agreed" the words "propose to the Republics of Nicaragua and of Costa Rica the arrangements contained in the following articles," and inserting the words:

That Her Britannic Majesty shall propose to the Republics of Nicaragua and Costa Rica the following articles. The United States of America agree to employ their good offices to induce the said Republics of Nicaragua and Costa Rica, respectively, to accept the same.

On the question, Shall the words proposed to be stricken from the first article stand as part of the treaty?

It was determined in the negative, { Yeas 18
Nays 25

Those who voted in the affirmative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Cameron, Chandler, Dixon, Doolittle, Durkee, Foster, Hamlin, Harlan, King, Mason, Rusk, Seward, Simmons, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Clay, Crittenden, Davis, Evans, Fitch, Fitzpatrick, Foot, Houston, Hunter, Iverson, Johnson, Kennedy, Polk, Pugh, Reid, Slidell, Stuart, Thomson of New Jersey, Toombs.

On motion by Mr. Davis to amend the words proposed to be inserted by striking them out and inserting: *as common friends of the parties concerned, to propose to the Republics of Nicaragua and of Costa Rica, the arrangements contained in the following articles;* and also to amend the first article by striking out the word "jointly,"

On the question to amend the proposed amendment and the first article.

It was determined in the affirmative, { Yeas 38
Nays 6

Those who voted in the affirmative are,

Messrs. Bell of New Hampshire, Bell of Tennessee, Biggs, Bright, Brown, Butler, Cameron, Clay, Crittenden, Davis, Dixon, Doolittle, Durkee, Evans, Fitch, Fitzpatrick, Foot, Foster, Hamlin, Harlan, Houston, Hunter, Iverson, Kennedy, King, Mason, Polk, Pugh, Reid, Seward, Simmons, Stuart, Thomson of New Jersey, Toombs, Trumbull, Wade, Wright, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Broderick, Chandler, Johnson, Sebastian, Slidell.

On the question, Shall the first article, as amended, to wit: *The United States of America and Her Britannic Majesty agree, as common friends of the parties concerned, to propose to the Republics of Nicaragua and Costa Rica the arrangements contained in the following articles, stand as part of the treaty?*

It was determined in the affirmative, {	Yea.....	37
	Nay.....	9

Those who voted in the affirmative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Biggs, Bigler, Bigler, Bright, Broderick, Butler, Cameron, Chandler, Clay, Davis, Dixon, Doolittle, Durkee, Evans, Fitzpatrick, Foot, Foster, Gwin, Harlan, Hunter, Iverson, Kennedy, Mason, Polk, Pugh, Reid, Rusk, Sebastian, Seward, Simmons, Stuart, Thomson of New Jersey, Wilson, Wright, Yulee.

Those who voted in the affirmative are,

Messrs. Benjamin, Brown, Fitch, Hamlin, Houston, Johnson, Slidell, Toombs, Wade.

On motion by Mr. Pugh to amend the 3d article of the treaty by adding thereto the following words, to wit:

And as well Her Britannic Majesty as the Government of the United States does hereby renounce for the future all claim of right to interpose in behalf of the said Musquito tribes of Indians as against the said Republic of Nicaragua or any other state of Central America, whether upon the footing of protection, ancient amity, former alliances, or upon any other footing than as herein stipulated.

On the question, Shall these words stand as part of the 3d article? ✓

It was determined in the negative, {	Yea.....	8
	Nay.....	33

Those who voted in the affirmative are,

Messrs. Benjamin, Bright, Brown, Fitch, Houston, Polk, Pugh, Rusk.

Those who voted in the affirmative are,

Messrs. Allen, Bell of N. Hamp., Bigler, Broderick, Butler, Cameron, Chandler, Clay, Crittenden, Davis, Dixon, Doolittle, Evans, Foster, Gwin, Harlan, Hunter, Johnson, Kennedy, King, Mason, Reid, Sebastian, Seward, Simmons, Slidell, Stuart, Thomson of N. J., Toombs, Wade, Wilson, Wright, Yulee.

On motion by Mr. Pugh to strike out the 2d and 3d articles as amended,

On the question, Shall the 2d and 3d articles as amended stand as parts of the treaty? ✓

It was determined in the affirmative, {	Yea.....	41
	Nay.....	3

Those who voted in the affirmative are,

Messrs. Allen, Bell of N. Hamp., Bell of Tennessee, Biggs, Bigler, Bright, Broderick, Butler, Cameron, Chandler, Clay, Crittenden, Davis, Dixon, Doolittle, Durkee, Evans, Fitch, Foot, Foster, Gwin, Harlan, Hunter, Iverson, Johnson, Kennedy, King, Mason, Polk, Reid, Rusk,

Sebastian, Seward, Simmons, Slidell, Stuart, Thomson of N. J., Toombs, Wade, Wilson, Wright.

Those who voted in the negative are,
Messrs. Brown, Houston, Pugh.

On motion by Mr. Davis to amend the 3d clause of the 4th article by striking out the following words, to wit:

"This stipulation is in no manner to affect the grants of land made previously to the first of January, eighteen hundred and forty-eight.

"In case, however, any of the grants referred to in the preceding paragraph of this section shall be found to exceed the stipulated extent, the commissioners hereinafter mentioned shall, if satisfied of the *bona fides* of any such grants, award to the grantee or grantees, or to his or their representatives or assigns, an area equal to the stipulated extent."

On the question, Shall these words stand as part of the 3d clause of the 4th article?

It was determined in the negative,	{ Yeas	8
	Nays	33

Those who voted in the affirmative are,

Messrs. Bell of New Hampshire, Dixon, Foster, Mason, Seward, Simmons, Trumbull, Wade.

Those who voted in the negative are,

Messrs. Allen, Bell of Tennessee, Benjamin, Biggs, Bigler, Bright, Broderick, Brown, Butler, Clay, Davis, Doolittle, Evans, Fitch, Foot, Gwin, Harlan, Houston, Hunter, Iverson, Johnson, Kennedy, Pugh, Reid, Rusk, Sebastian, Slidell, Stuart, Thomson of New Jersey, Toombs, Wilson, Wright, Yulee.

On motion by Mr. Davis to amend separate article 2, as follows:

Clause 1. Strike out after the word "Honduras" the words "on the shores of the bay of Honduras, bounded on the north by the Mexican province of Yucatan, and on the south by the river Sarstoon"; strike out the words "on the west"; after the word "Guatemala" insert the words *and of Honduras*; and change the word "treaty" to *treaties*, and the word "Republic" to *Republics*.

On the question, Shall the words so proposed to be stricken out and to be amended, by Mr. Davis, stand as part of separate article 2?

It was determined in the affirmative,	{ Yeas	35
	Nays	11

Those who voted in the affirmative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Bigler, Bright, Bröderick, Butler, Cameron, Chandler, Clay, Crittenden, Dixon, Doolittle, Durkee, Evans, Foot, Foster, Harlan, Hunter, Johnson, Kennedy, King, Mason, Polk, Rusk, Sebastian, Seward, Simmons, Slidell Thomson of New Jersey, Trumbull, Wade, Wilson, Wright, Yulee.

Those who voted in the negative are,

Messrs. Benjamin, Biggs, Davis, Fitch, Hamlin, Houston, Iverson, Pugh, Reid, Stuart, Toombs.

So, two-thirds of the Senators present voting in the affirmative, the words proposed to be stricken out and to be amended were retained as part of clause 1, article 2 of separate articles.

On motion by Mr. Rusk to amend the third clause of Article IV by striking out the following words, to wit:

"3. All *bona fide* grants of land, for due consideration, made in the name and by the authority of the Mosquito Indians, since the 1st of January, eighteen hundred and forty-eight, and lying beyond the limits of the territory reserved for said Indians, shall be confirmed: *Provided*, The same shall not exceed, in any case, the extent of one hundred yards

square, if within the limits of San Juan or Greytown, or one league square, if without the same: *And provided*, That such grant shall not interfere with other legal grants made previously to that date by Spain, the Republic of Central America, or either of the present States of Central America: *And provided further*, That no such grant within either of the said States shall include territory desired by its Government for forts, arsenals, or other public buildings. And in case any *bona fide* grant, or any part thereof, should be desired by the Government for forts, arsenals, or other public buildings, the Government shall compensate the holders for the same; the amount of compensation to be assessed and determined by the said commissioners."

On the question, Shall these words stand as part of the 4th article? ✓
It was determined in the negative, { Yeas..... 27

{ Nays..... 22

Those who voted in the affirmative are,

Messrs. Allen, Bell of N. Hamp., Bell of Tennessee, Bright, Cameron, Chandler, Clay, Davis, Dixon, Doolittle, Durkee, Evans, Foot, Foster, Gwin, Hamlin, Harlan, Hunter, Iverson, Kennedy, King, Mason, Seward, Simmons, Stuart, Wade, Wright.

Those who voted in the negative are,

Messrs. Benjamin, Biggs, Bigler, Broderick, Brown, Butler, Crittenden, Douglas, Fitch, Houston, Johnson, Polk, Pugh, Reid, Rusk, Sebastian, Slidell, Thomson of N. J., Toombs, Trumbull, Yulee.

So, two-thirds of the Senators present not having voted to retain the said words, they were stricken out.

On motion by Mr. Yulee to amend the fourth article, clause 1, by inserting after the word "retain" the words *for an adequate consideration, to be determined by the arbitration provided in the next article, be allowed.*

On the question, Shall the said words be inserted and stand as part of clause 1 of the fourth article? ✓

It was determined in the negative, { Yeas..... 5
{ Nays..... 41

Those who voted in the affirmative are,

Messrs. Iverson, Polk, Pugh, Trumbull, Yulee.

Those who voted in the negative are,

Messrs. Allen, Bell of N. Hamp., Bell of Tennessee, Benjamin, Biggs, Bigler, Broderick, Brown, Butler, Cameron, Chandler, Clay, Crittenden, Davis, Dixon, Doolittle, Durkee, Evans, Fitch, Foot, Foster, Gwin, Hamlin, Harlan, Houston, Hunter, Johnson, Kennedy, King, Mason, Reid, Rusk, Sebastian, Seward, Simmons, Slidell, Stuart, Thomson of N. Jersey, Wade, Wilson, Wright.

So, two-thirds of the Senators present not voting in the affirmative, the said amendment was not agreed to.

The said treaty having been further amended, by unanimous consent, was reported to the Senate, and the amendments were unanimously agreed to.

Mr. Mason submitted the following resolution for consideration:

Resolved (*two-thirds of the Senators present concurring*), That the Senate advise and consent to the ratification of the treaty between the United States and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, relative to Central America, concluded and signed at London on the 17th day of October, 1856, with the following amendments:

Article I: After the word "agree" insert the words *as common friends of the parties concerned*; and strike out the word "jointly."

Article III: In the 4th line (original treaty) after the words "such laws," insert the words *not inconsistent with the sovereign rights of the State of Nicaragua.*

In the 15th line, after the words "Indians and" insert the words *to exclude the settlement of other persons amongst them, without the license of the State of Nicaragua and the consent of said Indians; and also,*

In the 20th line, after the word "able" insert the words *to enter into any agreement, or alliance with, or,*

In the 21st line, after the word "of" insert the word *Nicaragua.*

In the 21st line, after the word "rights" insert the words *in said Territory;* and in same line, after the word "any" strike out the word "other."

In the 27th line, after the word "be" insert the words *admitted to be citizens, and.*

In the 27th line, after the word "former" strike out the words "but it shall be stipulated, in such case, that the said Musquito Indians shall enjoy the same rights, and be liable to the same duties, as the other citizens of the said Republic of Nicaragua."

Article IV. Strike out the following clause:

"3. All *bona fide* grants of land, for due consideration, made in the name and by the authority of the Mosquito Indians, since the first day of January, eighteen hundred and forty-eight, and lying beyond the limits of the territory reserved for said Indians, shall be confirmed, provided the same shall not exceed in any case the extent of one hundred yards square, if within the limits of San Juan or Greytown, or one league square, if without the same; and provided that such grant shall not interfere with other legal grants made previously to that date by Spain, the Republic of Central America, or either of the present States of Central America; and provided further, that no such grant within either of the said States shall include territory desired by its Government for forts, arsenals, or other public buildings. This stipulation is in no manner to affect the grants of land made previously to the first of January, eighteen hundred and forty-eight.

"In case, however, any of the grants referred to in the preceding paragraph of this section should be found to exceed the stipulated extent, the commissioners hereinafter mentioned shall, if satisfied of the *bona fides* of any such grants, award to the grantee or grantees, or to his or their representatives or assigns, an area equal to the stipulated extent.

"And in case any *bona fide* grant, or any part thereof, should be desired by the Government for forts, arsenals, or other public buildings, the Government shall compensate the holders for the same, the amount of compensation to be assessed and determined by the said commission."

Article VI: Strike out the following clause:

"They shall also appoint, within the same period, each a commissioner for the purpose of deciding upon the *bona fides* of all grants of land mentioned in section 3 of Article IV of the treaty as having been made by the Mosquito Indians of lands heretofore possessed by them and lying beyond the limits of the territory described in Article II."

In the last clause of Article VI, in lines 3 and 4 (original treaty), strike out the words "all three, or for any two of the" and insert the words *the two.*

Article IX: Strike out this article in the following words:

"Article IX. The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland bind themselves, in case the Republics of Nicaragua and Costa Rica, or either of them, should refuse to accept the arrangements contained in the pre-

ceding articles, not to propose nor consent to any other arrangements more favorable to the refusing party or parties."

Change Article X to *Article IX.*

Separate articles:

Article II. Strike out the second clause of definitive arrangement, as follows:

"2. That the islands and their inhabitants of Ruatan, Bonaco, Utila, Barbareta, Helena, and Morat, situate in the Bay of Honduras, and known as the Bay Islands, having been, by a convention bearing date the twenty seventh day of August, 1856, between her Britannic Majesty and the Republic of Honduras, constituted and declared a free territory under the sovereignty of the said Republic of Honduras, the two contracting parties do hereby mutually engage to recognize and respect in all future time the independence and rights of the said free territory as a part of the Republic of Honduras."

And insert the following in lieu thereof, viz:

2. *The two contracting parties do hereby mutually engage to recognize and respect the islands of Ruatan, Bonaco, Utila, Barbareta, Helena, and Morat, situate in the Bay of Honduras and off the coast of the Republic of Honduras, as under the sovereignty and as part of the said Republic of Honduras.*

The Senate, by unanimous consent, proceeded to consider the said resolution; and on the question to agree thereto,

It was determined in the affirmative, {	Yea.....	32
	Nay.....	15

Those who voted in the affirmative are,

Messrs. Allen, Bell of N. Hamp., Bell of Tennessee, Bigler, Broderick, Cameron, Chandler, Clay, Crittenden, Davis, Dixon, Doolittle, Durkee, Evans, Foot, Foster, Gwin, Hamlin, Harlan, Hunter, Iverson, Kennedy, King, Mason, Rusk, Seward, Simmons, Stuart, Thomson of N. Jersey, Wade, Wilson, Wright.

Those who voted in the negative are,

Messrs. Benjamin, Biggs, Brown, Butler, Douglas, Fitch, Houston, Johnson, Polk, Pugh, Reid, Slidell, Toombs, Trumbull, Yulee.

So the resolution was agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

The Senate resumed the consideration of the resolution submitted by Mr. Pugh, the 5th instant, fixing a day for closing the present session of the Senate by an adjournment *sine die*; and on the question to agree to the resolution, as follows:

Resolved, That the Senate will adjourn without day on Saturday, the 14th instant, at one o'clock p. m.,

It was determined in the affirmative, {	Yea.....	25
	Nay.....	12

On motion by Mr. Trumbull,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Broderick, Brown, Chandler, Clay, Crittenden, Douglas, Hamlin, Houston, Hunter, Johnson, Mason, Polk, Pugh, Reid, Rusk, Slidell, Stuart, Thomson of New Jersey, Toombs, Wright, Yulee.

Those who voted in the negative are,

Messrs. Bell of New Hampshire, Bell of Tennessee, Davis, Doolittle, Foot, Harlan, King, Seward, Simmons, Trumbull, Wade, Wilson.

So the resolution was agreed to.

On motion the Senate adjourned.

FRIDAY, MARCH 13, 1857.

Mr. Reid submitted the following resolution; which was considered by unanimous consent, and agreed to :

Resolved, That the Secretary of War be requested to furnish the Senate, at the commencement of the next session of Congress, an estimate of the necessary appropriation to erect a fort at New Inlet, North Carolina.

On motion by Mr. Toombs,

Ordered, That Martha Noble Hutchins have leave to withdraw her petition and papers.

Mr. Slidell submitted the following resolution for consideration :

Resolved, That the clerks of those committees which have been discontinued shall be entitled to receive a compensation for sixty days after the adjournment of the Senate, at six dollars per day.

On motion by Mr. Crittenden,

Ordered, That Washington A. Bartlett have leave to withdraw his petition and papers.

On motion by Mr. Benjamin,

Ordered, That leave be granted to withdraw the plat filed with the petition of Martin Fenwick.

The Senate proceeded to consider the resolution submitted by Mr. Wilson, the 11th instant, respecting the authority of postmasters for neglecting or refusing to deliver letters to parties authorized to receive them, and the conduct of the postmaster at San Francisco towards the Penny Post Company of California; and an amendment being proposed by Mr. Rusk,

On motion by Mr. Mason,

Ordered, That the resolution lie on the table.

The Senate proceeded to consider the resolution reported by the Committee on the Judiciary, to whom were referred the protests of certain senators and members of the house of representatives of the State of Pennsylvania against the election of the honorable Simon Cameron as a Senator in Congress from that State; and, in concurrence therewith,

Resolved, That the Committee on the Judiciary be discharged from the further consideration of the subject.

Mr. Jones, of Iowa, submitted the following resolution for consideration:

Resolved, That the editors of the National Intelligencer and Washington Union be paid at the rate of four dollars and fifty cents a column for publishing in their respective papers the debates and proceedings of the Senate during the late session.

On motion by Mr. Colamer,

Ordered, That Azel Spalding and William B. Riell have leave to withdraw their petitions and papers.

Mr. Foot, on his motion, obtained leave to withdraw the resolution submitted by him the 11th instant, respecting the right of the honorable Simon Cameron to a seat in the Senate.

On motion by Mr. Iverson,

Ordered, That the Committee of Claims be discharged from the further consideration of the petition of William A. Cameron.

On motion by Mr. Chandler,

Ordered, That Cornelius O'Flynn have leave to withdraw his petition and papers.

Mr. Toombs, from the Committee on the Judiciary, to whom were referred the papers relating to the election of the honorable Graham N.

Fitch by the legislature of the State of Indiana, as a Senator in the Congress of the United States, submitted a report (No. 2), accompanied by the following resolution :

Resolved, That in the case of the contested election of the honorable Graham N. Fitch, a Senator returned and admitted to his seat from the State of Indiana, that the sitting member and all persons protesting against his election, or any of them by themselves or their agents or attorney, be permitted to take testimony on the allegations of the protestants and the sitting member touching all matters of fact therein contained before any judge of the district court of the United States, or any judge of the supreme or circuit courts of the State of Indiana, by first giving ten days' notice of the time and place of such proceeding in some public gazette printed at Indianapolis.

The Senate proceeded, by unanimous consent, to reconsider the said resolution ; and, a motion having been made by Mr. Trumbull to amend the resolution,

After debate,

On motion by Mr. Mason,

Ordered, That it lie on the table.

On motion by Mr. Toombs,

Ordered, That the report and all the accompanying papers be printed.

On motion by Mr. Stuart,

Ordered, That leave be granted to withdraw the papers in the case of Elizabeth Martin.

The following messages were received from the President of the United States, by Mr. Henry, his secretary :

To the Senate of the United States :

I nominate the persons named in the accompanying list for appointment in the Army of the United States, as proposed by the Secretary of War.

JAMES BUCHANAN.

WASHINGTON, March 12, 1857.

WAR DEPARTMENT,
Washington, March 13, 1857.

SIR : I have the honor to propose for your approbation the following list of appointments in the Army of the United States, to fill original vacancies created by the act approved March 3d, 1857, section 2:

QUARTERMASTER'S DEPARTMENT.

To be military storekeepers.

Samuel H. Montgomery, of Arkansas ; William R. Gibson, of Oregon Territory ; Edwin Waller, of California ; James A. McNutt, of Tennessee ; Lawrence Taliaferro, of Pennsylvania.

Very respectfully, your ob't serv't,

JOHN B. FLOYD,
Sec'y of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I nominate Eugene M. Wilson for attorney of the United States for the Territory of Minnesota, vice Norman Eddy, resigned.

JAMES BUCHANAN.

WASHINGTON, March 13, 1857.

To the Senate of the United States:

I nominate Philip Clayton to be Assistant Secretary of the Treasury.
JAMES BUCHANAN.

WASHINGTON, March 13th, 1857.

To the Senate of the United States:

I nominate William Weer, of Kansas, for attorney of the United States for the Territory of Kansas, vice A. J. Isaacs, resigned.

JAMES BUCHANAN.

WASHINGTON, March 13th, 1857.

To the Senate of the United States:

I nominate Turner Nelson, of Indiana, to be superintendent of Indian affairs in the Territory of Utah, under the act of the 3d of March, 1857.

JAMES BUCHANAN.

WASHINGTON, March 13th, 1857.

To the Senate of the United States:

I nominate Lewis H. Sands, of Indiana, to be agent for the Indians in the Territory of Utah, under the act of the 3d of March, 1857.

JAMES BUCHANAN.

WASHINGTON, March 13th, 1857.

To the Senate of the United States:

I nominate Lewis W. Sifford for United States marshal for the southern district of Ohio, vice Thomas K. Smith, whose commission has expired.

JAMES BUCHANAN.

WASHINGTON, March 13, 1857.

To the Senate of the United States:

I nominate George H. Jones, of Virginia, to be secretary to the President to sign patents, agreeably to the provisions of the 6th section of the act of Congress of July fourth, eighteen hundred and thirty-six.

JAMES BUCHANAN.

WASHINGTON, March 13th, 1857.

To the Senate of the United States:

I nominate John S. Cunningham, of the State of South Carolina, to be a purser in the Navy, from the 27th of February, 1857, vice Edward Fitzgerald, deceased.

JAMES BUCHANAN.

WASHINGTON, March 13th, 1857.

The messages were read.

Ordered, That the nominations of Samuel H. Montgomery and others be referred to the Committee on Military Affairs.

Ordered, That the nominations of Eugene M. Wilson, William Weer, and Lewis W. Sifford be referred to the Committee on the Judiciary.

On motion by Mr. Hunter,

The Senate, by unanimous consent, proceeded to consider the nomination of Philip Clayton; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nominations of Turner Nelson and Lewis H. Sands be referred to the Committee on Indian Affairs.

On motion by Mr. Allen,

The Senate, by unanimous consent, proceeded to consider the nomination of George H. Jones; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Slidell,

The Senate, by unanimous consent, proceeded to consider the nomination of John S. Cunningham; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Mallory, from the Committee on Naval Affairs, to whom were referred, the 10th instant, the nominations of Theodorus Bailey, Hugh Y. Purviance, William E. Lynch, Henry W. Morris, Francis B. Ellison, Alexander M. Pennock, George F. Emmons, Edward Middleton, Thomas T. Hunter, Gustavus H. Scott, David McDougal, Charles F. McIntosh, De Grasse Livingston, William E. Fitzhugh, Trevett Abbot, Benjamin P. Loyall, Charles H. Cushman, Oscar F. Stanton, William H. Cheever, Henry A. Adams, George Brown, Charles E. Hawley, Bushrod W. Taylor, William H. Ward, Robert L. May, John W. Dunnington, Hudson M. Garland, James W. Shirk, Jesse Taylor, James G. Maxwell, Henry Erben, Francis E. Shepperd, Thomas P. Pelot, Edward P. McCrea, and Edward C. Stockton, reported.

On motion by Mr. Mallory the Senate proceeded to consider the said nominations.

On motion by Mr. Toombs that they lie on the table,

It was determined in the negative,	{ Yeas	16
	Nays	29

On motion by Mr. Mallory,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Bell of Tennessee, Bright, Brown, Davis, Evans, Foster, Green, Halan, Houston, Iverson, Jones, Mason, Polk, Rusk, Toombs, Wade.

Those who voted in the negative are,

Messrs. Allen, Benjamin, Biggs, Bigler, Broderick, Butler, Chandler, Clay, Dixon, Doolittle, Douglas, Durkee, Fitch, Foot, Gwin, Hunter, Johnson, Kennedy, King, Mallory, Reid, Sebastian, Seward, Slidell, Stuart, Thomson of New Jersey, Trumbull, Wilson, Wright.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Crittenden to remove the injunction of secrecy from the resolution of the Senate of March 3, 1855, tendering an expression of the high appreciation by the Senate of the uniform courtesy, ability, liberality, and valuable services of the honorable George E. Badger during his career in the Senate,

After debate,

On motion by Mr. Mason to lay the said motion on the table,

It was determined in the negative.

On the question to remove the injunction of secrecy from the said resolution,

It was determined in the negative,	{ Yeas	16
	Nays	27

On motion by Mr. Iverson,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,
Messrs. Bright, Brown, Butler, Crittenden, Doolittle, Durkee, Evans, Foot, Foster, Gwin, Houston, Jones, Kennedy, Rusk, Simmons, Thomson of New Jersey.

Those who voted in the negative are,
Mersrs. Allen, Bayard, Bell of New Hampshire, Bell of Tennessee, Benjamin, Bigler, Chandler, Clay, Douglas, Fitch, Green, Harlan, Hunter, Iverson, King, Mason, Polk, Pugh, Reid, Sebastian, Seward, Slidell, Toombs, Trumbull, Wade, Wilson, Wright.

Mr. Rusk, from the Committee on the Post-Office and Post-Roads, to whom was referred, the 12th instant, the nomination of Jacob Troutman, reported.

Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hunter, from the Committee on Finance, to whom was referred, the 12th instant, the nomination of Isaac H. Sturgeon, reported.

Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, this day, the nomination of Turner Nelson, reported.

Whereupon
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Douglas, from the Committee on Territories, to whom were referred, the 12th instant, the nominations of J. Patton Anderson and Samuel Medary, reported.

Whereupon
Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Slidell,
The Senate proceeded to consider the nominations of George P. Turner, Allan Ramsay, and Delavan Bloodgood; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Sebastian, from the Committee on Indian Affairs, to whom were referred, the 11th of February, 1856, the articles of agreement and convention made and concluded at Nesho Agency this 23d day of August, 1856, by Andrew J. Dorn, commissioner on the part of the United States, and chiefs and warriors of the Senecas of Sandusky, and the Senecas and Shawnees of Lewistown, designated by the treaty of 1832, hereinafter recited as the "United Nation of Seneca and Shawnee Indians," reported adversely thereon.

The said treaty was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:
Resolved, That the Senate do not advise and consent to the ratification of the articles of agreement and convention made and concluded at the Nesho Agency, this 23d day of August, 1854, by Andrew J. Dorn, commissioner on the part of the United States, and the chiefs and warriors of the Senecas of Sandusky, and the Senecas and Shawnees of Lewistown, designated by the treaty of 1832, hereinafter recited as the "United Nation of Seneca and Shawnee Indians."

The Senate, by unanimous consent, proceeded to consider the said resolution, and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 11th February, 1856, the articles and agreement and convention made and concluded at the Nesho Agency this 12th day of August, 1854, by Andrew J. Dorn, commissioner, on the part of the United States, and the undersigned chiefs of the Quapaw tribe of Indians, reported adversely thereon.

The said treaty was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the articles of agreement and convention, made and concluded at the Nesho Agency this 12th day of August, 1856, by Andrew J. Dorn, commissioner on the part of the United States, and the undersigned chiefs and warriors of the Quapaw tribe of Indians.

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 24th January, 1856, the treaty with the Mimbres band of the Gila Apaches of the 9th of June, 1855, in New Mexico, reported adversely thereon.

The said treaty was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the treaty with the Mimbres band of the Gila Apaches of the 9th of June, 1855, in New Mexico.

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 24th January, 1856, the treaty with the Mescalera Apaches of the 14th of June, 1855, in New Mexico, reported adversely thereon.

The said treaty was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the treaty with the Mescalero Apaches of the 14th of June, 1855, in New Mexico.

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 24th January, 1856, the treaty with the Navajoes of the 18th June, 1855, in New Mexico, reported adversely thereon.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the treaty with the Navajoes of the 18th June, 1855, in New Mexico.

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 24th January, 1856, the treaty with the Capote band of Utahs of the 8th January, 1835, in New Mexico, reported adversely thereon.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the treaty with the Capote band of Utahs of the 8th August, 1855, in New Mexico.

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 24th January, 1856, the treaty with the Mohuache band of the Utahs of the 11th of September, 1855, in New Mexico, reported adversely thereon.

The said treaty was read the second time, and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the treaty with the Mohuache band of the Utahs of the 11th September, 1855, in New Mexico.

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 24th January, 1856, the treaty with the Iicamilla band of Apaches of the 12th September, 1855, in New Mexico, reported adversely thereon.

The said treaty was read the second time and considered as in Committee of the Whole; and no amendment being made, it was reported to the Senate.

Mr. Sebastian submitted the following resolution for consideration:

Resolved, That the Senate do not advise and consent to the ratification of the treaty with the Iicamilla band of the Apaches of the 12th September, 1855, in New Mexico.

The Senate, by unanimous consent, proceeded consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Tombs, from the Committee on the Judiciary, to whom were referred this day the nominations of Eugene M. Wilson, William Weer, and Lewis W. Sifford, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of William Weer and Lewis W. Sifford, agreeably to their nominations respectively.

The treaty between the United States and their Majesties the First King of Siam and the Second King of Siam, concluded at Bangkok on the 29th day of May, 1856, was read the second time and considered as in Committee of the Whole; and the reported amendment was unanimously agreed to, and the treaty was reported to the Senate and the amendment was unanimously agreed to.

Mr. Mason submitted the following resolution for consideration:

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty between the United States and their Majesties the First King of Siam and the Second King of Siam, concluded at Bangkok on the 29th day of May, 1856, with the following amendment:

Article V: Strike out this article in the following words:

"All American citizens intending to reside in Siam shall be registered at the American consulate; they shall not go out to sea nor proceed beyond the limits assigned by this treaty for the residence of American citizens without a passport from the Siamese authorities, to be applied for by the American consul; nor shall they leave Siam if the Siamese authorities show to the American consul that legitimate objections exist to their quitting the country. But within the limits appointed under the preceding article American citizens are at liberty to travel to and fro under the protection of a pass to be furnished them by the American consul and countersealed by the proper Siamese officer, stating in the Siamese characters their names, calling, and description. The Siamese officers at the Government stations in the interior may at any time call for the production of this pass, and immediately on its being exhibited they must allow the parties to proceed; but it will be their duty to detain those persons who, by traveling without a pass from the consul, render themselves liable to the suspicion of their being deserters, and such detention shall be immediately reported to the consul."

The Senate, by unanimous consent, proceeded to consider the said resolution; and it was unanimously agreed to.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Mr. Davis, from the Committee on Military Affairs, to whom were referred this day the nominations of Andrew W. Evans, Samuel H. Montgomery, William R. Gibson, Edwin Waller, James A. McNutt, and Lawrence Taliaferro, reported.

On motion by Mr. Benjamin that the doors be opened,

It was determined in the negative,	{	Yea	21
		Nay	24

On motion by Mr. Seward,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Biggs, Bright, Brown, Butler, Clay, Davis, Evans, Fitch, Foot, Houston, Jones, Johnson, Polk, Pugh, Reid, Sebastian, Siddle, Stuart, Thomson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Bigler, Broderick, Cameron, Chandler, Doolittle, Durkee, Foster, Green, Gwin,

Harlan, Hunter, Iverson, Kennedy, King, Mason, Rusk, Seward, Simmons, Trumbull, Wade, Wilson.

On motion by Mr. Mason,

The Senate, as in Committee of the Whole, resumed the consideration of the treaty between the United States and His Majesty the King of Hawaiian Islands, signed in Washington the twentieth day of July, eighteen hundred and fifty-five.

On motion by Mr. Benjamin that the said treaty lie on the table,

It was determined in the negative, { Yeas	14
Nays	30

On motion by Mr. Benjamin,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,
Messrs. Benjamin, Biggs, Bright, Brown, Clay, Evans, Foot, Johnson, Polk, Pugh, Reid, Slidell, Thomson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Bigler, Broderick, Butler, Cameron, Chandler, Davis, Doolittle, Douglas, Durkee, Foster, Green, Gwin, Harlan, Houston, Hunter, Iverson, Jones, Kennedy, King, Mason, Sebastian, Seward, Simmons, Stuart, Trumbull, Wade, Wilson.

After debate,

On motion by Mr. Slidell that the Senate adjourn,

It was determined in the negative, { Yeas	14
Nays	30

On motion by Mr. Slidell,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Benjamin, Bigler, Brown, Clay, Foot, Green, Hunter, Johnson, Pugh, Sebastian, Slidell, Stuart, Thomson of New Jersey, Wright.

Those who voted in the negative are,

Messrs. Allen, Bell of New Hampshire, Bell of Tennessee, Biggs, Broderick, Cameron, Chandler, Davis, Dolittle, Douglas, Durkee, Evans, Fitch, Foster, Gwin, Harlan, Houston, Iverson, Jones, Kennedy, King, Mason, Polk, Reid, Rusk, Seward, Simmons, Trumbull, Wade, Wilson.

After debate,

On motion by Mr. Houston,

The Senate adjourned.

SATURDAY, MARCH 14, 1857.

Mr. Thomson, of New Jersey, submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That a committee consisting of two members be appointed by the President of the United States and inform him that, unless he may have further communications to make, the Senate are ready to adjourn.

On motion by Mr. Thomson of New Jersey,

Ordered, That the committee be appointed by the Vice-President; and Mr. Thomson, of New Jersey, and Mr. Collamer were appointed.

Mr. Davis submitted the following resolution; which was considered, by unanimous consent, and referred to the Committee on Printing:

Resolved, That the Committee on Printing be instructed to inquire into the propriety of printing the report of Captain McClelland, of the United States Army, on the armies of Europe and the campaign of the

Crimea, and that five thousand extra copies be printed for distribution, one thousand of which shall be for the use of the War Department.

Mr. Gwin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President be requested to cause to be laid before the Senate, on the first day of its next session, the copies of papers called for by the resolution of the Senate of 20th of February, 1857, including those communicated by the President on the 3d instant, in all their details, as required in said resolution; also detailed notes showing what particular vouchers therein referred to were explained, and in what form and manner explained, whether by indorsement in body of the vouchers, and if so, to what extent, and which of them; or otherwise on the vouchers, and if so, which of them; and if on separate pieces of paper, which of them; also, which of said vouchers, if any, bear evidences of having been altered or amended after the same had been signed, and also specifying, separately, all explanations made subsequent to the action of the Commissioner of Indian Affairs, in such manner as to show by whom each of said explanations were made.

The Vice-President having retired,

On motion by Mr. Fitzpatrick,

The Senate proceeded to the election of a President *pro tempore* by ballot; and

On counting the ballots it appeared that the honorable Thomas J. Rusk had a majority and was duly elected.

The President *pro tempore*, on taking the chair, addressed the Senate as follows:

"SENATORS: I thank you for the honor you have just conferred. It shall be my effort to deserve it by a just and impartial discharge to the best of my ability of the duties which your confidence has devolved upon me."

Mr. Seward submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the thanks of the Senate are unanimously tendered to the honorable John C. Breckinridge for the dignity and impartiality with which he has discharged the duties of Presiding Officer of this body.

M. Johnson, from the Committee on Printing, to whom was referred a resolution to inquire into the propriety of printing the report of Captain McClellan, of the United States Army, on the armies of Europe and the campaign of the Crimea, reported thereon.

The Senate proceeded to consider the report; and, in concurrence therewith,

Ordered. That the report of the Secretary of War, communicating the report of Captain McClellan, one of the officers sent to the seat of war in Europe in 1855 and 1856, be printed, and that 5,000 extra copies be printed, one thousand of which shall be for the use of the War Department.

The following messages were received from the President of the United States, by Mr. Henry, his secretary:

To the Senate of the United States:

I nominate Abner Pratt, of Michigan, to be consul of the United States for the port of Honolulu, which is now vacant.

JAMES BUCHANAN.

WASHINGTON, 14 March, 1857.

To the Senate of the United States:

I nominate I. Page Hopkins, of Virginia, to be consul for the port of Tobasco, in the Republic of Mexico.

Joel W. White, of Connecticut, to be consul at Lyons, in France.

Francis A. Thornton, of North Carolina, to be consul for the port of Aspinwall, in the Republic of New Granada.

Peter Sauzeneau, of Louisiana, to be consul for the port of Matamoros, in the Republic of Mexico.

G. Augustus Johnson, of Rhode Island, to be consul at Beirut, in the Turkish Dominions.

Charles G. Baylor, of the District of Columbia, to be Manchester, in England.

JAMES BUCHANAN.

WASHINGTON, 14 March, 1857.

To the Senate of the United States:

I nominate William E. Venable, of Tennessee, to be minister resident to Guatemala.

JAMES BUCHANAN.

WASHINGTON, March 13, 1857.

To the Senate of the United States:

I nominate E. O. F. Hastings, of California, to be register of the land office at Marysville, California, in the place of Charles S. Fairfax, resigned.

JAMES BUCHANAN.

WASHINGTON, March 14th 1857.

To the Senate of the United States:

I hereby nominate Henry B. Andrews to be deputy postmaster at Galveston, State of Texas, in place of John B. Root, removed.

JAMES BUCHANAN.

WASHINGTON, 14 March, 1857.

To the Senate of the United States:

I nominate Abram B. Ragan, of Georgia, to fill a vacancy occasioned by the death of Paymaster A. G. Bennett, and to date from March 13th, 1857.

JAMES BUCHANAN.

WASHINGTON, March 13, 1857.

WAR DEPARTMENT, Washington, March 13, 1857.

SIR: I have the honor to propose for your approbation the name of Abraham B. Ragan, of Georgia, for the appointment of Paymaster in the Army of the United States, to fill a vacancy occasioned by the death of Paymaster A. G. Bennett, and to date from March 13th, 1857.

Very respectfully, your obed't serv't,

JOHN B. FLOYD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

The messages were read.

The Senate, by unanimous consent, proceeded to consider the nomination of Abner Pratt; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate, by unanimous consent, proceeded to consider the nominations of J. Page Hopkins, Joel W. White, Francis A. Thornton, Peter Sauzeneau, G. Augustus Johnson, and Charles G. Baylor; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate, by unanimous consent, proceeded to consider the nomination of William E. Venable; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Ordered, That the nomination of E. O. F. Hastings be referred to the Committee on Public Lands.

The Senate, by unanimous consent, proceeded to consider the nomination of Henry B. Andrews; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate, by unanimous consent, proceeded to consider the nomination of Abraham B. Ragan; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nomination of Eugene M. Wilson; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of Samuel H. Montgomery, William R. Gibson, Edwin Waller, James McNutt, and Lawrence Taliaferro; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

On motion by Mr. Gwin that the Senate reconsider so much of the said resolution as advises and consents to the appointment of Edwin Walker,

It was determined in the affirmative.

The Senate proceeded to consider the nomination of Andrew W. Evans; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the resolution submitted by Mr. Slidell yesterday, making an allowance to clerks of committees; and

The resolution having been amended on motion by Mr. Slidell, was agreed to as follows:

Resolved, That the clerks employed by the standing committees of the Senate, except the clerks of the Committees on Finance, Printing, and Claims, including those committees which have been discontinued by the partial adoption of the report of the special committee submitted on the 17th February, 1857, shall receive at the close of this session an extra compensation equal to the amount of their per diem for sixty days.

A motion was made by Mr. Toombs that the Senate reconsider the vote agreeing to the resolution last mentioned.

Mr. Thomsou, of New Jersey, from the committee appointed to wait on the President of the United States and inform him that, unless he may have further communications to make, the Senate is ready to adjourn, reported that they had performed the duty assigned them, and that the President replied that he had no further communication to make, and desired the committee "to express to the Senate his gratitude for its remaining so long in session."

The hour fixed by the resolution of the 12th instant for closing the present session of the Senate having arrived,

The President *pro tempore* declared the Senate to be adjourned *sine die*.